

---

# THE VIRGINIA REGISTER INFORMATION PAGE

---

**THE VIRGINIA REGISTER** is an official state publication issued every other week throughout the year. Indexes are published quarterly, and the last index of the year is cumulative. **THE VIRGINIA REGISTER** has several functions. The new and amended sections of regulations, both as proposed and as finally adopted, are required by law to be published in **THE VIRGINIA REGISTER OF REGULATIONS**. In addition, **THE VIRGINIA REGISTER** is a source of other information about state government, including all emergency regulations and executive orders issued by the Governor, the Virginia Tax Bulletin issued periodically by the Department of Taxation, and notices of public hearings and open meetings of state agencies.

## ADOPTION, AMENDMENT, AND REPEAL OF REGULATIONS

An agency wishing to adopt, amend, or repeal regulations must first publish in the *Virginia Register* a notice of intended regulatory action; a basis, purpose, substance and issues statement; an economic impact analysis prepared by the Department of Planning and Budget; the agency's response to the economic impact analysis; a summary; a notice giving the public an opportunity to comment on the proposal; and the text of the proposed regulation.

Following publication of the proposal in the *Virginia Register*, the promulgating agency receives public comments for a minimum of 60 days. The Governor reviews the proposed regulation to determine if it is necessary to protect the public health, safety and welfare, and if it is clearly written and easily understandable. If the Governor chooses to comment on the proposed regulation, his comments must be transmitted to the agency and the Registrar no later than 15 days following the completion of the 60-day public comment period. The Governor's comments, if any, will be published in the *Virginia Register*. Not less than 15 days following the completion of the 60-day public comment period, the agency may adopt the proposed regulation.

The appropriate standing committee of each branch of the General Assembly may meet during the promulgation or final adoption process and file an objection with the Registrar and the promulgating agency. The objection will be published in the *Virginia Register*. Within 21 days after receipt by the agency of a legislative objection, the agency shall file a response with the Registrar, the objecting legislative committee, and the Governor.

When final action is taken, the agency again publishes the text of the regulation as adopted, highlighting all changes made to the proposed regulation and explaining any substantial changes made since publication of the proposal. A 30-day final adoption period begins upon final publication in the *Virginia Register*.

The Governor may review the final regulation during this time and, if he objects, forward his objection to the Registrar and the agency. In addition to or in lieu of filing a formal objection, the Governor may suspend the effective date of a portion or all of a regulation until the end of the next regular General Assembly session by issuing a directive signed by a majority of the members of the appropriate standing committees and the Governor. The Governor's objection or suspension of the regulation, or both, will be published in the *Virginia Register*. If the Governor finds that changes made to the proposed regulation have substantial impact, he may require the agency to provide an additional 30-day public comment period on the changes. Notice of the additional public comment period required by the Governor will be published in the *Virginia Register*.

The agency shall suspend the regulatory process for 30 days when it receives requests from 25 or more individuals to solicit additional public comment, unless the agency determines that the changes have minor or inconsequential impact.

A regulation becomes effective at the conclusion of the 30-day final adoption period, or at any other later date specified by the promulgating agency, unless (i) a legislative objection has been filed, in which event the regulation, unless withdrawn, becomes effective on the date specified, which shall be after the expiration of the 21-day extension period; (ii) the Governor exercises his authority to require

the agency to provide for additional public comment, in which event the regulation, unless withdrawn, becomes effective on the date specified, which shall be after the expiration of the period for which the Governor has provided for additional public comment; (iii) the Governor and the General Assembly exercise their authority to suspend the effective date of a regulation until the end of the next regular legislative session; or (iv) the agency suspends the regulatory process, in which event the regulation, unless withdrawn, becomes effective on the date specified, which shall be after the expiration of the 30-day public comment period.

Proposed regulatory action may be withdrawn by the promulgating agency at any time before the regulation becomes final.

## EMERGENCY REGULATIONS

If an agency demonstrates that (i) there is an immediate threat to the public's health or safety; or (ii) Virginia statutory law, the appropriation act, federal law, or federal regulation requires a regulation to take effect no later than (a) 280 days from the enactment in the case of Virginia or federal law or the appropriation act, or (b) 280 days from the effective date of a federal regulation, it then requests the Governor's approval to adopt an emergency regulation. The emergency regulation becomes operative upon its adoption and filing with the Registrar of Regulations, unless a later date is specified. Emergency regulations are limited to addressing specifically defined situations and may not exceed 12 months in duration. Emergency regulations are published as soon as possible in the *Register*.

During the time the emergency status is in effect, the agency may proceed with the adoption of permanent regulations through the usual procedures. To begin promulgating the replacement regulation, the agency must (i) file the Notice of Intended Regulatory Action with the Registrar within 60 days of the effective date of the emergency regulation; and (ii) file the proposed regulation with the Registrar within 180 days of the effective date of the emergency regulation. If the agency chooses not to adopt the regulations, the emergency status ends when the prescribed time limit expires.

## STATEMENT

The foregoing constitutes a generalized statement of the procedures to be followed. For specific statutory language, it is suggested that Article 2 (§ 9-6.14:7.1 et seq.) of Chapter 1.1:1 of the Code of Virginia be examined carefully.

## CITATION TO THE VIRGINIA REGISTER

The *Virginia Register* is cited by volume, issue, page number, and date. **12:8 VA.R. 1096-1106 January 8, 1996**, refers to Volume 12, Issue 8, pages 1096 through 1106 of the *Virginia Register* issued on January 8, 1996.

**"THE VIRGINIA REGISTER OF REGULATIONS"** (USPS-001831) is published bi-weekly, with quarterly cumulative indices published in January, April, July and October, for \$100 per year by the Virginia Code Commission, General Assembly Building, Capitol Square, Richmond, Virginia 23219. Telephone (804) 786-3591. Periodical Postage Rates Paid at Richmond, Virginia. **POSTMASTER:** Send address changes to **THE VIRGINIA REGISTER OF REGULATIONS, 910 CAPITOL STREET, 2ND FLOOR, RICHMOND, VIRGINIA 23219.**

The *Virginia Register of Regulations* is published pursuant to Article 7 (§ 9-6.14:22 et seq.) of Chapter 1.1:1 of Title 9 of the Code of Virginia. Individual copies, if available, may be purchased for \$4.00 each from the Registrar of Regulations.

Members of the Virginia Code Commission: **Jay W. DeBoer**, Chairman; **Robert L. Calhoun**; **Bernard S. Cohen**; **Frank S. Ferguson**; **J. Randy Forbes**; **James E. Kulp**; **E.M. Miller, Jr.**; **James B. Wilkinson**.

Staff of the Virginia Register: **Jane D. Chaffin**, Registrar of Regulations.

---

---

# PUBLICATION SCHEDULE AND DEADLINES

---

This schedule is available on the *Register's* Internet home page (<http://legis.state.va.us/codecomm/register/regindex.htm>).

---

## March 2000 through December 2000

<u>Volume:Issue</u>	<u>Material Submitted By Noon*</u>	<u>Will Be Published On</u>
16:13	February 23, 2000	March 13, 2000
16:14	March 8, 2000	March 27, 2000
<b>INDEX 2 - Volume 16</b>		<b>April 2000</b>
16:15	March 22, 2000	April 10, 2000
16:16	April 5, 2000	April 24, 2000
16:17	April 19, 2000	May 8, 2000
16:18	May 3, 2000	May 22, 2000
16:19	May 17, 2000	June 5, 2000
16:20	May 31, 2000	June 19, 2000
<b>INDEX 3 - Volume 16</b>		<b>July 2000</b>
16:21	June 14, 2000	July 3, 2000
16:22	June 28, 2000	July 17, 2000
16:23	July 12, 2000	July 31, 2000
16:24	July 26, 2000	August 14, 2000
16:25	August 9, 2000	August 28, 2000
16:26	August 23, 2000	September 11, 2000
<b>FINAL INDEX - Volume 16</b>		<b>October 2000</b>
17:1	September 6, 2000	September 25, 2000
17:2	September 20, 2000	October 9, 2000
17:3	October 4, 2000	October 23, 2000
17:4	October 18, 2000	November 6, 2000
17:5	November 1, 2000	November 20, 2000
17:6	November 14, 2000 ( <b>Tuesday</b> )	December 4, 2000
17:7	November 29, 2000	December 18, 2000
<b>INDEX 1 - Volume 17</b>		<b>January 2001</b>

\*Filing deadlines are Wednesdays unless otherwise specified.

---

# TABLE OF CONTENTS

---

## CUMULATIVE TABLE OF VIRGINIA ADMINISTRATIVE CODE SECTIONS ADOPTED, AMENDED, OR REPEALED

Cumulative Table.....1746

## NOTICES OF INTENDED REGULATORY ACTION

### TITLE 9. ENVIRONMENT

State Air Pollution Control Board .....1756

Virginia Waste Management Board .....1757

State Water Control Board .....1759

### TITLE 12. HEALTH

Department of Medical Assistance Services.....1762

State Mental Health, Mental Retardation and Substance  
Abuse Services Board.....1763

### TITLE 18. PROFESSIONAL AND OCCUPATIONAL LICENSING

Board of Medicine .....1763

Boards of Pharmacy and Medicine .....1764

### TITLE 22. SOCIAL SERVICES

State Board of Social Services .....1764

## FINAL REGULATIONS

### TITLE 18. PROFESSIONAL AND OCCUPATIONAL LICENSING

#### BOARD OF MEDICINE

Regulations Governing the Practice of Medicine, Osteopathy,  
Podiatry, Chiropractic and Physician Acupuncture (amending  
18 VAC 85-20-22 and 18 VAC 85-20-240).....1766

Regulations Governing the Practice of Physical Therapy  
(amending 18 VAC 85-31-160).....1766

Regulations Governing the Practice of Respiratory Care  
Practitioners (amending 18 VAC 85-40-80).....1766

Regulations Governing the Practice of Physician Assistants  
(amending 18 VAC 85-50-170).....1766

Regulations Governing the Practice of Occupational  
Therapists (amending 18 VAC 85-80-120).....1766

Regulations Governing the Practice of Radiologic  
Technologist Practitioners and Radiologic Technologists-  
Limited (amending 18 VAC 85-101-160).....1766

Regulations Governing the Practice of Licensed  
Acupuncturists (amending 18 VAC 85-110-35).....1766

Regulations Governing the Practice of Physical Therapy  
(amending 18 VAC 85-31-10, 18 VAC 85-31-40, 18 VAC 85-  
31-50, 18 VAC 85-31-60, 18 VAC 85-31-80, 18 VAC 85-31-  
90, 18 VAC 85-31-100, 18 VAC 85-31-120, 18 VAC 85-31-  
130, and 18 VAC 85-31-140; adding 18 VAC 85-31-25,  
18 VAC 85-31-65, and 18 VAC 85-31-135).....1772

#### CEMETERY BOARD

18 VAC 47-20-10 et seq. Cemetery Board Rules and  
Regulations.....1776

#### BOARD OF NURSING

Regulations Governing the Practice of Nursing (amending  
18 VAC 90-20-30, 18 VAC 90-20-190, 18 VAC 90-20-230,  
and 18 VAC 90-20-350).....1782

#### BOARD OF LICENSED PROFESSIONAL COUNSELORS, MARRIAGE AND FAMILY THERAPISTS, AND SUBSTANCE ABUSE TREATMENT PROFESSIONALS

Regulations Governing the Practice of Professional  
Counseling (amending 18 VAC 115-20-20, 18 VAC 115-20-  
100, 18 VAC 115-20-110, and 18 VAC 115-20-150).....1784

Regulations Governing the Practice of Professional  
Counseling (amending 18 VAC 115-20-10, 18 VAC 115-20-  
40, 18 VAC 115-20-50, 18 VAC 115-20-70, 18 VAC 115-20-  
130, and 18 VAC 115-20-140; adding 18 VAC 115-20-35,  
18 VAC 115-20-45, 18 VAC 115-20-49, 18 VAC 115-20-51,  
and 18 VAC 115-20-52; repealing 18 VAC 115-20-30, 18 VAC  
115-20-60, and 18 VAC 115-20-80).....1786

Regulations Governing the Certification of Substance Abuse  
Counselors (amending 18 VAC 115-30-30, 18 VAC 115-30-  
40, 18 VAC 115-30-110, 18 VAC 115-30-120, and 18 VAC  
115-30-160).....1792

Regulations Governing the Certification of Rehabilitation  
Providers (amending 18 VAC 115-40-20 and 18 VAC 115-40-  
35; adding 18 VAC 115-40-61).....1794

Regulations Governing the Practice of Marriage and Family  
Therapists (amending 18 VAC 115-50-20, 18 VAC 115-50-30,  
18 VAC 115-50-40, 18 VAC 115-50-90, and 18 VAC 115-50-  
100; adding 18 VAC 115-50-130).....1795

#### BOARD OF PSYCHOLOGY

Regulations Governing the Practice of Psychology (amending  
18 VAC 125-20-30, 18 VAC 125-20-130 and 18 VAC 125-20-  
170).....1797

---

# Table of Contents

---

## **GUIDANCE DOCUMENTS**

Chesapeake Bay Local Assistance Department .....	1799
Department of Education .....	1803
Virginia Small Business Financing Authority .....	1804

## **GENERAL NOTICES/ERRATA**

### **DEPARTMENT OF CRIMINAL JUSTICE SERVICES**

Notice of Application for Grant Funds for Prerelease and Post-incarceration Services (PAPIS) .....	1806
--	------

### **DEPARTMENT OF ENVIRONMENTAL QUALITY**

Notice of Public Meeting and Public Comment - North River Tributaries Fecal Coliform Bacteria TMDL .....	1806
Notice of Public Meeting and Public Comment - Middle Fork Holston River Watershed TMDL for Fecal Coliform Bacteria .....	1806

### **DEPARTMENT OF MEDICAL ASSISTANCE SERVICES**

Proposed DRG Payment Rates and DRG Weights - Legal Notice .....	1806
---	------

### **DEPARTMENT OF MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES**

General Notice of Public Comment on 12 VAC 35-102-10 et seq., Rules and Regulations for the Licensure of Facilities and Providers of Mental Health, Mental Retardation and Substance Abuse Services .....	1810
---	------

### **STATE WATER CONTROL BOARD**

Proposed Special Order - Yates Dairy Farm .....	1810
---	------

### **VIRGINIA CODE COMMISSION**

Notice to State Agencies .....	1811
Forms for Filing Material for Publication in <i>The Virginia Register of Regulations</i> .....	1811

## **CALENDAR OF EVENTS**

### EXECUTIVE

Open Meetings and Public Hearings .....	1812
---	------

### INDEPENDENT

Open Meetings and Public Hearings .....	1831
---	------

### LEGISLATIVE

Open Meetings and Public Hearings .....	1831
---	------

### CHRONOLOGICAL LIST

Open Meetings .....	1831
---------------------	------

Public Hearings .....	1834
-----------------------	------



# CUMULATIVE TABLE OF VIRGINIA ADMINISTRATIVE CODE SECTIONS ADOPTED, AMENDED, OR REPEALED

The table printed below lists regulation sections, by Virginia Administrative Code (VAC) title, that have been amended, added or repealed in the *Virginia Register* since the regulations were originally published or last supplemented in VAC (the Fall 1999 VAC Supplement includes final regulations published through *Virginia Register* Volume 15, Issue 23, dated August 2, 1999). Emergency regulations, if any, are listed, followed by the designation "emer," and errata pertaining to final regulations are listed. Proposed regulations are not listed here. The table lists the sections in numerical order and shows action taken, the volume, issue and page number where the section appeared, and the effective date of the section.

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
<b>Title 2. Agriculture</b>			
2 VAC 15-20-70	Amended	16:9 VA.R. 1150	1/1/00
2 VAC 15-20-80	Amended	15:26 VA.R. 3445	8/17/99
2 VAC 15-20-80	Repealed	16:9 VA.R. 1150	1/1/00
2 VAC 15-20-81	Added	16:9 VA.R. 1150	1/1/00
<b>Title 4. Conservation and Natural Resources</b>			
4 VAC 20-252-60	Amended	16:10 VA.R. 1222	1/1/00
4 VAC 20-252-85	Amended	16:10 VA.R. 1222	1/1/00
4 VAC 20-252-90	Amended	16:10 VA.R. 1222	1/1/00
4 VAC 20-252-100	Amended	16:10 VA.R. 1223	1/1/00
4 VAC 20-252-110	Amended	16:10 VA.R. 1223	1/1/00
4 VAC 20-252-140	Amended	16:10 VA.R. 1223	1/1/00
4 VAC 20-270-50	Amended	16:7 VA.R. 804	1/1/00
4 VAC 20-333-10 through 4 VAC 20-333-40	Added	15:24 VA.R. 3035-3037	7/6/99
4 VAC 20-561-10 through 4 VAC 20-561-30 emer	Added	16:12 VA.R. 1710	2/2/00-2/22/00
4 VAC 20-595-10 emer	Added	15:25 VA.R. 3366	8/15/99-8/31/99
4 VAC 20-595-20 emer	Added	15:25 VA.R. 3366	8/15/99-8/31/99
4 VAC 20-620-30	Amended	16:5 VA.R. 580	11/1/99
4 VAC 20-620-40	Amended	16:5 VA.R. 580	11/1/99
4 VAC 20-700-20	Amended	16:7 VA.R. 804	1/1/00
4 VAC 20-720-20	Amended	16:3 VA.R. 292	10/1/99
4 VAC 20-720-20	Amended	16:12 VA.R. 1671	2/4/00
4 VAC 20-720-35	Added	16:3 VA.R. 292	10/1/99
4 VAC 20-720-40	Amended	16:3 VA.R. 292	10/1/99
4 VAC 20-720-40	Amended	16:12 VA.R. 1671	2/4/00
4 VAC 20-720-50	Amended	16:3 VA.R. 293	10/1/99
4 VAC 20-720-50	Amended	16:12 VA.R. 1672	2/4/00
4 VAC 20-720-60	Amended	16:3 VA.R. 293	10/1/99
4 VAC 20-720-60	Amended	16:12 VA.R. 1672	2/4/00
4 VAC 20-720-70	Amended	16:3 VA.R. 294	10/1/99
4 VAC 20-720-70	Amended	16:12 VA.R. 1673	2/4/00
4 VAC 20-720-80	Amended	16:3 VA.R. 294	10/1/99
4 VAC 20-720-80	Amended	16:12 VA.R. 1673	2/4/00
4 VAC 20-720-105	Repealed	16:3 VA.R. 294	10/1/99
4 VAC 20-890-10	Amended	16:7 VA.R. 804	1/1/00
4 VAC 20-890-25	Added	16:7 VA.R. 805	1/1/00
4 VAC 20-890-25	Amended	16:12 VA.R. 1674	2/2/00
4 VAC 20-890-35	Amended	16:7 VA.R. 805	1/1/00
4 VAC 20-891-10 through 4 VAC 20-891-30 emer	Added	16:10 VA.R. 1268	1/1/00-1/31/00
4 VAC 25-40 (Forms)	Amended	16:10 VA.R. 1335	--
4 VAC 25-130 (Forms)	Amended	16:10 VA.R. 1335	--
4 VAC 25-150 (Forms)	Amended	16:10 VA.R. 1335	--
<b>Title 6. Criminal Justice and Corrections</b>			
6 VAC 20-170-10 et seq.	Repealed	16:8 VA.R. 945	2/2/00
6 VAC 20-171-10 through 6 VAC 20-171-560	Added	16:8 VA.R. 945-974	2/2/00

# Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
6 VAC 35-50-10 et seq.	Repealed	16:10 VA.R. 1223	7/1/00
<b>Title 7. Economic Development</b>			
7 VAC 10-20-10	Amended	15:25 VA.R. 3348	9/29/99
7 VAC 10-20-30	Amended	15:25 VA.R. 3350	9/29/99
7 VAC 10-20-50	Amended	15:25 VA.R. 3350	9/29/99
<b>Title 8. Education</b>			
8 VAC 20-50-10 et seq.	Repealed	16:10 VA.R. 1223	7/1/00
<b>Title 9. Environment</b>			
9 VAC 5-80-1400 through 9 VAC 5-80-1590	Added	16:7 VA.R. 806-819	2/1/00
9 VAC 25-151 (Forms)	Amended	15:24 VA.R. 3251	--
9 VAC 25-210 (Forms)	Amended	16:12 VA.R. 1711-1714	--
<b>Title 11. Gaming</b>			
11 VAC 10-130-10	Amended	15:26 VA.R. 3449	8/25/99
11 VAC 10-130-20	Amended	15:26 VA.R. 3449	8/25/99
11 VAC 10-130-40	Amended	15:26 VA.R. 3451	8/25/99
11 VAC 10-130-51	Amended	15:26 VA.R. 3451	8/25/99
11 VAC 10-130-60	Amended	15:26 VA.R. 3452	8/25/99
11 VAC 10-130-76	Amended	15:26 VA.R. 3452	8/25/99
11 VAC 10-130-77	Amended	15:26 VA.R. 3452	8/25/99
<b>Title 12. Health</b>			
12 VAC 5-65-10 et seq. emer	Amended	16:10 VA.R. 1268-1275	1/3/00-1/2/01
12 VAC 5-220-10 emer	Amended	16:10 VA.R. 1276	1/3/00-1/2/01
12 VAC 5-220-90 emer	Amended	16:10 VA.R. 1280	1/3/00-1/2/01
12 VAC 5-220-105 emer	Amended	16:10 VA.R. 1280	1/3/00-1/2/01
12 VAC 5-220-150 emer	Repealed	16:10 VA.R. 1280	1/3/00-1/2/01
12 VAC 5-220-160 emer	Amended	16:10 VA.R. 1281	1/3/00-1/2/01
12 VAC 5-220-180 emer	Amended	16:10 VA.R. 1281	1/3/00-1/2/01
12 VAC 5-220-200 emer	Amended	16:10 VA.R. 1282	1/3/00-1/2/01
12 VAC 5-220-230 emer	Amended	16:10 VA.R. 1284	1/3/00-1/2/01
12 VAC 5-220-270 emer	Amended	16:10 VA.R. 1286	1/3/00-1/2/01
12 VAC 5-220-280 emer	Amended	16:10 VA.R. 1286	1/3/00-1/2/01
12 VAC 5-220-355 emer	Amended	16:10 VA.R. 1287	1/3/00-1/2/01
12 VAC 5-220-385 emer	Amended	16:10 VA.R. 1287	1/3/00-1/2/01
12 VAC 5-220-420 emer	Amended	16:10 VA.R. 1288	1/3/00-1/2/01
12 VAC 5-220-470 emer	Amended	16:10 VA.R. 1289	1/3/00-1/2/01
12 VAC 5-230-10 emer	Amended	16:10 VA.R. 1289	1/3/00-1/2/01
12 VAC 5-230-20 emer	Amended	16:10 VA.R. 1290	1/3/00-1/2/01
12 VAC 5-240-10 emer	Amended	16:10 VA.R. 1290	1/3/00-1/2/01
12 VAC 5-240-20 emer	Amended	16:10 VA.R. 1291	1/3/00-1/2/01
12 VAC 5-240-30 emer	Amended	16:10 VA.R. 1291	1/3/00-1/2/01
12 VAC 5-250-30 emer	Amended	16:10 VA.R. 1293	1/3/00-1/2/01
12 VAC 5-260-30 emer	Amended	16:10 VA.R. 1293	1/3/00-1/2/01
12 VAC 5-260-40 emer	Amended	16:10 VA.R. 1293	1/3/00-1/2/01
12 VAC 5-260-80 emer	Amended	16:10 VA.R. 1294	1/3/00-1/2/01
12 VAC 5-260-100 emer	Amended	16:10 VA.R. 1294	1/3/00-1/2/01
12 VAC 5-270-30 emer	Amended	16:10 VA.R. 1295	1/3/00-1/2/01
12 VAC 5-270-40 emer	Amended	16:10 VA.R. 1295	1/3/00-1/2/01
12 VAC 5-280-10 emer	Amended	16:10 VA.R. 1296	1/3/00-1/2/01
12 VAC 5-280-30 emer	Amended	16:10 VA.R. 1296	1/3/00-1/2/01
12 VAC 5-290-10 emer	Amended	16:10 VA.R. 1296	1/3/00-1/2/01
12 VAC 5-290-30 emer	Amended	16:10 VA.R. 1297	1/3/00-1/2/01
12 VAC 5-300-30 emer	Amended	16:10 VA.R. 1297	1/3/00-1/2/01
12 VAC 5-310-30 emer	Amended	16:10 VA.R. 1298	1/3/00-1/2/01
12 VAC 5-320-50 emer	Amended	16:10 VA.R. 1298	1/3/00-1/2/01
12 VAC 5-320-150 emer	Amended	16:10 VA.R. 1298	1/3/00-1/2/01
12 VAC 5-320-430 emer	Amended	16:10 VA.R. 1298	1/3/00-1/2/01

# Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
12 VAC 5-340-30 emer	Amended	16:10 VA.R. 1298	1/3/00-1/2/01
12 VAC 5-360-30 emer	Amended	16:10 VA.R. 1298	1/3/00-1/2/01
12 VAC 5-360-40 emer	Amended	16:10 VA.R. 1299	1/3/00-1/2/01
12 VAC 5-371-40 emer	Amended	16:7 VA.R. 896	12/31/99-12/30/00
12 VAC 5-408-10 through 12 VAC 5-408-370	Added	16:7 VA.R. 819-837	1/20/00
12 VAC 5-408-70	Erratum	16:9 VA.R. 1174	--
12 VAC 5-408-230	Erratum	16:9 VA.R. 1174	--
12 VAC 5-408-360	Erratum	16:9 VA.R. 1174	--
12 VAC 5-408-370	Erratum	16:9 VA.R. 1174	--
12 VAC 5-410-70 emer	Amended	16:7 VA.R. 897	12/31/99-12/30/00
12 VAC 5-610-10*	Repealed	15:24 VA.R. 3188	*
12 VAC 5-610-20*	Amended	15:24 VA.R. 3188	*
12 VAC 5-610-30*	Amended	15:24 VA.R. 3188	*
12 VAC 5-610-40*	Amended	15:24 VA.R. 3188	*
12 VAC 5-610-50*	Amended	15:24 VA.R. 3188	*
12 VAC 5-610-70*	Amended	15:24 VA.R. 3189	*
12 VAC 5-610-75*	Added	15:24 VA.R. 3190	*
12 VAC 5-610-80*	Amended	15:24 VA.R. 3190	*
12 VAC 5-610-90*	Repealed	15:24 VA.R. 3190	*
12 VAC 5-610-100*	Amended	15:24 VA.R. 3190	*
12 VAC 5-610-110*	Repealed	15:24 VA.R. 3190	*
12 VAC 5-610-120*	Amended	15:24 VA.R. 3190	*
12 VAC 5-610-130*	Amended	15:24 VA.R. 3192	*
12 VAC 5-610-140*	Repealed	15:24 VA.R. 3192	*
12 VAC 5-610-150*	Repealed	15:24 VA.R. 3192	*
12 VAC 5-610-170*	Amended	15:24 VA.R. 3192	*
12 VAC 5-610-180*	Repealed	15:24 VA.R. 3193	*
12 VAC 5-610-190*	Amended	15:24 VA.R. 3193	*
12 VAC 5-610-200*	Amended	15:24 VA.R. 3194	*
12 VAC 5-610-230*	Amended	15:24 VA.R. 3195	*
12 VAC 5-610-250*	Amended	15:24 VA.R. 3195	*
12 VAC 5-610-255*	Added	15:24 VA.R. 3198	*
12 VAC 5-610-260*	Amended	15:24 VA.R. 3198	*
12 VAC 5-610-270*	Amended	15:24 VA.R. 3198	*
12 VAC 5-610-280*	Amended	15:24 VA.R. 3198	*
12 VAC 5-610-290*	Amended	15:24 VA.R. 3199	*
12 VAC 5-610-300*	Amended	15:24 VA.R. 3199	*
12 VAC 5-610-330*	Amended	15:24 VA.R. 3199	*
12 VAC 5-610-340*	Amended	15:24 VA.R. 3199	*
12 VAC 5-610-360*	Amended	15:24 VA.R. 3200	*
12 VAC 5-610-370*	Repealed	15:24 VA.R. 3200	*
12 VAC 5-610-380*	Amended	15:24 VA.R. 3201	*
12 VAC 5-610-430*	Amended	15:24 VA.R. 3202	*
12 VAC 5-610-440*	Amended	15:24 VA.R. 3202	*
12 VAC 5-610-441 through 12 VAC 5-610-449*	Added	15:24 VA.R. 3202-3210	*
12 VAC 5-610-449.1*	Added	15:24 VA.R. 3211	*
12 VAC 5-610-450*	Amended	15:24 VA.R. 3212	*
12 VAC 5-610-470*	Amended	15:24 VA.R. 3212	*
12 VAC 5-610-480*	Amended	15:24 VA.R. 3214	*
12 VAC 5-610-490*	Amended	15:24 VA.R. 3214	*
12 VAC 5-610-500*	Amended	15:24 VA.R. 3215	*
12 VAC 5-610-510 through 12 VAC 5-610-550*	Repealed	15:24 VA.R. 3215-3216	*
12 VAC 5-610-560*	Amended	15:24 VA.R. 3216	*

\* The regulatory process was suspended on this section in 16:2 VA.R. 202, and the final effective date is pending until further action by the board.



# Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
12 VAC 5-610-570*	Repealed	15:24 VA.R. 3216	*
12 VAC 5-610-580*	Amended	15:24 VA.R. 3217	*
12 VAC 5-610-591 through 12 VAC 5-610-594*	Added	15:24 VA.R. 3217-3218	*
12 VAC 5-610-596 through 12 VAC 5-610-599*	Added	15:24 VA.R. 3218-3222	*
12 VAC 5-610-599.1 through 12 VAC 5-610-599.4*	Added	15:24 VA.R. 3222-3223	*
12 VAC 5-610-620*	Amended	15:24 VA.R. 3223	*
12 VAC 5-610-650*	Amended	15:24 VA.R. 3223	*
12 VAC 5-610-670*	Amended	15:24 VA.R. 3223	*
12 VAC 5-610-690*	Amended	15:24 VA.R. 3223	*
12 VAC 5-610-700*	Amended	15:24 VA.R. 3224	*
12 VAC 5-610-800*	Amended	15:24 VA.R. 3226	*
12 VAC 5-610-810*	Amended	15:24 VA.R. 3226	*
12 VAC 5-610-815*	Added	15:24 VA.R. 3226	*
12 VAC 5-610-817*	Added	15:24 VA.R. 3227	*
12 VAC 5-610-820*	Amended	15:24 VA.R. 3227	*
12 VAC 5-610-830*	Repealed	15:24 VA.R. 3227	*
12 VAC 5-610-840*	Repealed	15:24 VA.R. 3227	*
12 VAC 5-610-880*	Amended	15:24 VA.R. 3227	*
12 VAC 5-610-890*	Amended	15:24 VA.R. 3229	*
12 VAC 5-610-930*	Amended	15:24 VA.R. 3229	*
12 VAC 5-610-940*	Amended	15:24 VA.R. 3232	*
12 VAC 5-610-950*	Amended	15:24 VA.R. 3233	*
12 VAC 5-610-960*	Amended	15:24 VA.R. 3235	*
12 VAC 5-610-965*	Added	15:24 VA.R. 3236	*
12 VAC 5-610-980*	Amended	15:24 VA.R. 3237	*
12 VAC 5-610-1080*	Amended	15:24 VA.R. 3238	*
12 VAC 5-610-1140*	Amended	15:24 VA.R. 3240	*
12 VAC 5-610-1150*	Repealed	15:24 VA.R. 3240	*
12 VAC 5-615-10 through 12 VAC 5-615-420 emer	Added	16:10 VA.R. 1301-1313	1/3/00-1/2/01
12 VAC 30-10-150 emer	Amended	16:10 VA.R. 1315	1/1/00-12/31/00
12 VAC 30-10-441	Added	15:26 VA.R. 3454	10/13/99
12 VAC 30-10-490	Amended	15:26 VA.R. 3454	10/13/99
12 VAC 30-10-680	Amended	15:26 VA.R. 3454	10/13/99
12 VAC 30-50-30 emer	Amended	16:10 VA.R. 1315	1/1/00-12/31/00
12 VAC 30-50-70 emer	Amended	16:10 VA.R. 1316	1/1/00-12/31/00
12 VAC 30-50-100	Amended	15:24 VA.R. 3243	9/15/99
12 VAC 30-50-105	Amended	15:24 VA.R. 3245	9/15/99
12 VAC 30-50-130 emer	Amended	16:10 VA.R. 1316	1/1/00-12/31/00
12 VAC 30-50-140	Amended	15:24 VA.R. 3247	9/15/99
12 VAC 30-50-160	Amended	16:2 VA.R. 202	11/10/99
12 VAC 30-50-210	Amended	16:2 VA.R. 205	11/10/99
12 VAC 30-50-220	Amended	15:25 VA.R. 3362	10/1/99
12 VAC 30-50-229.1 emer	Amended	16:10 VA.R. 1322	1/12/00-1/11/01
12 VAC 30-50-250 emer	Amended	16:10 VA.R. 1317	1/1/00-12/31/00
12 VAC 30-50-270	Amended	16:6 VA.R. 706	1/5/00
12 VAC 30-50-480 emer	Amended	16:10 VA.R. 1326	1/1/00-12/31/00
12 VAC 30-60-130	Amended	16:6 VA.R. 707	1/5/00
12 VAC 30-60-170 emer	Amended	16:10 VA.R. 1328	1/1/00-12/31/00
12 VAC 30-80-21 emer	Added	16:10 VA.R. 1317	1/1/00-12/31/00
12 VAC 30-80-30	Amended	16:2 VA.R. 207	11/10/99
12 VAC 30-80-30	Amended	16:6 VA.R. 710	1/5/00
12 VAC 30-80-40	Amended	16:2 VA.R. 208	11/10/99
12 VAC 30-80-111 emer	Added	16:10 VA.R. 1329	1/1/00-12/31/00

\* The regulatory process was suspended on this section in 16:2 VA.R. 202, and the final effective date is pending until further action by the board.

# Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
12 VAC 30-129-100 through 12 VAC 30-129-150 emer	Added	16:10 VA.R. 1329-1334	1/1/00-12/31/00
12 VAC 30-130-270 through 12 VAC 30-130-530	Repealed	16:6 VA.R. 711-715	1/5/00
12 VAC 30-130-850 through 12 VAC 30-130-890 emer	Added	16:10 VA.R. 1317-1320	1/1/00-12/31/00
12 VAC 30-140-10 through 12 VAC 30-140-570	Added	15:26 VA.R. 3456-3465	10/13/99
12 VAC 30-140-370	Amended	16:4 VA.R. 404	12/8/99
12 VAC 30-140-380	Amended	16:4 VA.R. 404	12/8/99
12 VAC 35-30-10 et seq.	Repealed	16:10 VA.R. 1233	7/1/00
<b>Title 13. Housing</b>			
13 VAC 5-175-10 through 13 VAC 5-175-40	Added	16:4 VA.R. 405-406	10/20/99
13 VAC 10-180-40	Amended	16:11 VA.R. 1448	1/24/00
13 VAC 10-180-50	Amended	16:11 VA.R. 1448	1/24/00
13 VAC 10-180-60	Amended	16:11 VA.R. 1450	1/24/00
13 VAC 10-180-70	Amended	16:11 VA.R. 1458	1/24/00
<b>Title 14. Insurance</b>			
14 VAC 5-215-10 through 14 VAC 5-215-130	Added	16:11 VA.R. 1461-1470	2/15/00
14 VAC 5-270-30	Amended	16:5 VA.R. 582	1/1/00
14 VAC 5-270-40	Amended	16:5 VA.R. 582	1/1/00
14 VAC 5-270-60	Amended	16:5 VA.R. 582	1/1/00
14 VAC 5-270-70	Amended	16:5 VA.R. 583	1/1/00
14 VAC 5-270-80	Amended	16:5 VA.R. 583	1/1/00
14 VAC 5-270-160	Repealed	16:5 VA.R. 584	1/1/00
14 VAC 5-319-10 through 14 VAC 5-319-80	Added	16:5 VA.R. 585-599	1/1/00
14 VAC 5-350 (Forms)	Amended	16:8 VA.R. 976	--
14 VAC 5-350 (Forms)	Amended	16:11 VA.R. 1475-1480	--
14 VAC 5-395-20	Amended	16:4 VA.R. 407	10/20/99
14 VAC 5-395-25	Added	16:4 VA.R. 407	10/20/99
14 VAC 5-395-60	Amended	16:4 VA.R. 407	10/20/99
<b>Title 16. Labor and Employment</b>			
16 VAC 25-120-1917.1	Amended	16:7 VA.R. 843	1/20/00
16 VAC 25-130-1918.1	Amended	16:7 VA.R. 843	1/20/00
16 VAC 30-11-10 through 16 VAC 30-11-30	Added	16:10 VA.R. 1224	3/1/00
<b>Title 18. Professional and Occupational Licensing</b>			
18 VAC 5-20-10 emer	Amended	16:3 VA.R. 319	10/4/99-10/3/00
18 VAC 5-20-11 emer	Added	16:3 VA.R. 321	10/4/99-10/3/00
18 VAC 5-20-20 emer	Amended	16:3 VA.R. 322	10/4/99-10/3/00
18 VAC 5-20-30 emer	Repealed	16:3 VA.R. 324	10/4/99-10/3/00
18 VAC 5-20-40 emer	Repealed	16:3 VA.R. 324	10/4/99-10/3/00
18 VAC 5-20-41 emer	Added	16:3 VA.R. 324	10/4/99-10/3/00
18 VAC 5-20-50 emer	Repealed	16:3 VA.R. 325	10/4/99-10/3/00
18 VAC 5-20-60 emer	Repealed	16:3 VA.R. 325	10/4/99-10/3/00
18 VAC 5-20-70 emer	Repealed	16:3 VA.R. 326	10/4/99-10/3/00
18 VAC 5-20-80 emer	Repealed	16:3 VA.R. 326	10/4/99-10/3/00
18 VAC 5-20-81 emer	Added	16:3 VA.R. 326	10/4/99-10/3/00
18 VAC 5-20-90 emer	Repealed	16:3 VA.R. 326	10/4/99-10/3/00
18 VAC 5-20-91 emer	Added	16:3 VA.R. 327	10/4/99-10/3/00
18 VAC 5-20-100 emer	Amended	16:3 VA.R. 328	10/4/99-10/3/00
18 VAC 5-20-110 emer	Amended	16:3 VA.R. 329	10/4/99-10/3/00
18 VAC 5-20-111 emer	Added	16:3 VA.R. 330	10/4/99-10/3/00
18 VAC 5-20-112 emer	Added	16:3 VA.R. 330	10/4/99-10/3/00
18 VAC 5-20-120 through 18 VAC 5-20-440 emer	Repealed	16:3 VA.R. 330-333	10/4/99-10/3/00
18 VAC 5-20-441 emer	Added	16:3 VA.R. 333	10/4/99-10/3/00
18 VAC 5-20-442 emer	Added	16:3 VA.R. 334	10/4/99-10/3/00
18 VAC 5-20-443 emer	Added	16:3 VA.R. 334	10/4/99-10/3/00
18 VAC 5-20-444 emer	Added	16:3 VA.R. 336	10/4/99-10/3/00
18 VAC 5-20-445 emer	Added	16:3 VA.R. 336	10/4/99-10/3/00
18 VAC 5-20-450 emer	Repealed	16:3 VA.R. 336	10/4/99-10/3/00

# Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
18 VAC 5-20-451 emer	Added	16:3 VA.R. 336	10/4/99-10/3/00
18 VAC 5-20-460 through 500 emer	Repealed	16:3 VA.R. 337-339	10/4/99-10/3/00
18 VAC 10-20-10	Amended	16:3 VA.R. 298	12/1/99
18 VAC 10-20-20	Amended	16:3 VA.R. 299	12/1/99
18 VAC 10-20-35	Added	16:3 VA.R. 299	12/1/99
18 VAC 10-20-90	Amended	15:24 VA.R. 3248	10/1/99
18 VAC 10-20-110	Amended	16:3 VA.R. 299	12/1/99
18 VAC 10-20-120	Amended	16:3 VA.R. 300	12/1/99
18 VAC 10-20-140	Amended	16:3 VA.R. 300	12/1/99
18 VAC 10-20-150	Amended	16:3 VA.R. 301	12/1/99
18 VAC 10-20-160	Amended	16:3 VA.R. 303	12/1/99
18 VAC 10-20-170	Amended	15:24 VA.R. 3248	10/1/99
18 VAC 10-20-170	Amended	16:3 VA.R. 303	12/1/99
18 VAC 10-20-190	Amended	16:3 VA.R. 303	12/1/99
18 VAC 10-20-200	Amended	16:3 VA.R. 304	12/1/99
18 VAC 10-20-210	Amended	16:3 VA.R. 304	12/1/99
18 VAC 10-20-215	Added	16:3 VA.R. 305	12/1/99
18 VAC 10-20-230	Amended	16:3 VA.R. 305	12/1/99
18 VAC 10-20-250	Amended	16:3 VA.R. 305	12/1/99
18 VAC 10-20-260	Amended	16:3 VA.R. 306	12/1/99
18 VAC 10-20-270	Amended	16:3 VA.R. 306	12/1/99
18 VAC 10-20-280	Amended	15:24 VA.R. 3249	10/1/99
18 VAC 10-20-280	Amended	16:3 VA.R. 306	12/1/99
18 VAC 10-20-300	Amended	16:3 VA.R. 306	12/1/99
18 VAC 10-20-310	Amended	16:3 VA.R. 307	12/1/99
18 VAC 10-20-320	Amended	16:3 VA.R. 307	12/1/99
18 VAC 10-20-330	Amended	16:3 VA.R. 307	12/1/99
18 VAC 10-20-350	Amended	16:3 VA.R. 307	12/1/99
18 VAC 10-20-360	Amended	16:3 VA.R. 308	12/1/99
18 VAC 10-20-400	Amended	15:24 VA.R. 3249	10/1/99
18 VAC 10-20-440	Amended	16:3 VA.R. 308	12/1/99
18 VAC 10-20-450	Amended	16:3 VA.R. 308	12/1/99
18 VAC 10-20-470	Amended	15:24 VA.R. 3249	10/1/99
18 VAC 10-20-490	Amended	16:3 VA.R. 309	12/1/99
18 VAC 10-20-500	Repealed	16:3 VA.R. 309	12/1/99
18 VAC 10-20-520	Amended	15:24 VA.R. 3249	10/1/99
18 VAC 10-20-530	Amended	16:3 VA.R. 309	12/1/99
18 VAC 10-20-560	Amended	16:3 VA.R. 310	12/1/99
18 VAC 10-20-570	Amended	16:3 VA.R. 310	12/1/99
18 VAC 10-20-580	Amended	15:24 VA.R. 3249	10/1/99
18 VAC 10-20-590	Amended	16:3 VA.R. 310	12/1/99
18 VAC 10-20-630	Amended	15:24 VA.R. 3249	10/1/99
18 VAC 10-20-640	Amended	16:3 VA.R. 311	12/1/99
18 VAC 10-20-680	Amended	16:3 VA.R. 311	12/1/99
18 VAC 10-20-730	Amended	16:3 VA.R. 311	12/1/99
18 VAC 10-20-740	Amended	16:3 VA.R. 311	12/1/99
18 VAC 10-20-760	Amended	16:3 VA.R. 312	12/1/99
18 VAC 10-20-780	Amended	16:3 VA.R. 313	12/1/99
18 VAC 10-20-790	Amended	16:3 VA.R. 313	12/1/99
18 VAC 10-20-795	Added	16:3 VA.R. 314	12/1/99
18 VAC 15-20-50	Amended	16:11 VA.R. 1471	5/1/00
18 VAC 15-20-960	Amended	16:11 VA.R. 1471	5/1/00
18 VAC 15-30-160	Amended	16:11 VA.R. 1472	5/1/00
18 VAC 15-30-830	Amended	16:11 VA.R. 1472	5/1/00
18 VAC 25-21-70	Amended	15:26 VA.R. 3468	11/1/99
18 VAC 47-10-10 through 18 VAC 47-10-90	Added	16:12 VA.R. 1675-1676	3/29/00

# Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
18 VAC 55-22-310	Amended	15:26 VA.R. 3476	11/1/99
18 VAC 55-22 (Forms)	Amended	16:5 VA.R. 600	--
18 VAC 60-20-20	Amended	16:7 VA.R. 846	1/19/00
18 VAC 60-20-30	Amended	16:7 VA.R. 846	1/19/00
18 VAC 65-20-70	Amended	16:7 VA.R. 851	1/19/00
18 VAC 65-20-120	Amended	16:7 VA.R. 851	1/19/00
18 VAC 65-20-130	Amended	16:7 VA.R. 851	1/19/00
18 VAC 65-20-435	Added	16:7 VA.R. 851	1/19/00
18 VAC 85-20-22	Amended	16:4 VA.R. 407	12/8/99
18 VAC 85-20-230	Amended	16:4 VA.R. 408	12/8/99
18 VAC 85-20-235	Added	16:4 VA.R. 408	12/8/99
18 VAC 85-20-236	Added	16:4 VA.R. 408	12/8/99
18 VAC 85-20-240	Amended	16:4 VA.R. 409	12/8/99
18 VAC 85-20-240	Erratum	16:8 VA.R. 997	--
18 VAC 85-20-280	Added	16:7 VA.R. 854	1/19/00
18 VAC 85-20-290	Added	16:7 VA.R. 854	1/19/00
18 VAC 85-20-300	Added	16:7 VA.R. 855	1/19/00
18 VAC 85-40-10	Amended	16:7 VA.R. 860	1/19/00
18 VAC 85-40-25	Added	16:7 VA.R. 860	1/19/00
18 VAC 85-40-40	Amended	16:7 VA.R. 860	1/19/00
18 VAC 85-40-45	Added	16:7 VA.R. 860	1/19/00
18 VAC 85-40-50	Amended	16:7 VA.R. 860	1/19/00
18 VAC 85-40-60	Amended	16:7 VA.R. 861	1/19/00
18 VAC 85-40-65	Added	16:7 VA.R. 861	1/19/00
18 VAC 85-40-80	Amended	16:7 VA.R. 861	1/19/00
18 VAC 85-80-10	Amended	16:7 VA.R. 868	1/19/00
18 VAC 85-80-20	Amended	16:7 VA.R. 868	1/19/00
18 VAC 85-80-25	Added	16:7 VA.R. 868	1/19/00
18 VAC 85-80-35	Added	16:7 VA.R. 868	1/19/00
18 VAC 85-80-40	Amended	16:7 VA.R. 868	1/19/00
18 VAC 85-80-50	Amended	16:7 VA.R. 869	1/19/00
18 VAC 85-80-60	Amended	16:7 VA.R. 869	1/19/00
18 VAC 85-80-70	Amended	16:7 VA.R. 869	1/19/00
18 VAC 85-80-80	Amended	16:7 VA.R. 869	1/19/00
18 VAC 85-101-10	Amended	16:4 VA.R. 410	12/8/99
18 VAC 85-101-40	Amended	16:4 VA.R. 410	12/8/99
18 VAC 85-101-50	Amended	16:4 VA.R. 410	12/8/99
18 VAC 85-101-60	Amended	16:4 VA.R. 411	12/8/99
18 VAC 85-101-70	Amended	16:4 VA.R. 411	12/8/99
18 VAC 85-101-130	Amended	16:4 VA.R. 411	12/8/99
18 VAC 85-101-160	Amended	16:4 VA.R. 412	12/8/99
18 VAC 90-20-300	Amended	16:3 VA.R. 315	11/24/99
18 VAC 90-20-420	Added	16:3 VA.R. 315	11/24/99
18 VAC 90-20-430	Added	16:3 VA.R. 315	11/24/99
18 VAC 90-20-440	Added	16:3 VA.R. 316	11/24/99
18 VAC 90-20-450	Added	16:3 VA.R. 316	11/24/99
18 VAC 90-20-460	Added	16:3 VA.R. 317	11/24/99
18 VAC 100-20-10	Amended	15:26 VA.R. 3479	11/1/99
18 VAC 100-20-40	Amended	15:26 VA.R. 3479	11/1/99
18 VAC 100-20-50	Amended	15:26 VA.R. 3479	11/1/99
18 VAC 100-20-60	Amended	15:26 VA.R. 3479	11/1/99
18 VAC 100-20-70	Amended	15:26 VA.R. 3479	11/1/99
18 VAC 110-20-10	Amended	15:26 VA.R. 3482	10/13/99
18 VAC 110-20-135	Added	15:26 VA.R. 3484	10/13/99
18 VAC 110-20-140	Amended	15:26 VA.R. 3484	10/13/99
18 VAC 110-20-690	Added	15:26 VA.R. 3485	10/13/99

# Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
18 VAC 110-20-700	Added	15:26 VA.R. 3485	10/13/99
18 VAC 110-20-710	Added	15:26 VA.R. 3485	10/13/99
18 VAC 110-20-720	Added	15:26 VA.R. 3486	10/13/99
18 VAC 110-40-10 through 18 VAC 110-40-70 emer	Added	16:11 VA.R. 1473-1474	1/20/00-1/19/01
18 VAC 115-30-10	Amended	16:7 VA.R. 876	1/19/00
18 VAC 115-30-20	Repealed	16:7 VA.R. 877	1/19/00
18 VAC 115-30-30	Amended	16:7 VA.R. 877	1/19/00
18 VAC 115-30-40	Amended	16:7 VA.R. 877	1/19/00
18 VAC 115-30-45	Added	16:7 VA.R. 877	1/19/00
18 VAC 115-30-60	Amended	16:7 VA.R. 878	1/19/00
18 VAC 115-30-70	Amended	16:7 VA.R. 879	1/19/00
18 VAC 115-30-80	Repealed	16:7 VA.R. 879	1/19/00
18 VAC 115-30-90	Amended	16:7 VA.R. 879	1/19/00
18 VAC 115-30-100	Repealed	16:7 VA.R. 879	1/19/00
18 VAC 115-30-110	Amended	16:7 VA.R. 879	1/19/00
18 VAC 115-30-120	Amended	16:7 VA.R. 879	1/19/00
18 VAC 115-30-130	Repealed	16:7 VA.R. 879	1/19/00
18 VAC 115-30-140	Amended	16:7 VA.R. 879	1/19/00
18 VAC 115-30-150	Amended	16:7 VA.R. 880	1/19/00
18 VAC 115-30-160	Amended	16:7 VA.R. 880	1/19/00
18 VAC 115-50-10	Amended	16:7 VA.R. 886	1/19/00
18 VAC 115-50-30	Amended	16:7 VA.R. 886	1/19/00
18 VAC 115-50-40	Amended	16:7 VA.R. 887	1/19/00
18 VAC 115-50-50	Amended	16:7 VA.R. 887	1/19/00
18 VAC 115-50-55	Added	16:7 VA.R. 887	1/19/00
18 VAC 115-50-60	Amended	16:7 VA.R. 888	1/19/00
18 VAC 115-50-70	Amended	16:7 VA.R. 889	1/19/00
18 VAC 115-50-80	Repealed	16:7 VA.R. 889	1/19/00
18 VAC 115-50-90	Amended	16:7 VA.R. 889	1/19/00
18 VAC 115-60-10 through 18 VAC 115-60-150	Added	16:7 VA.R. 890-895	1/19/00
18 VAC 120-30-100	Amended	15:26 VA.R. 3487	11/1/99
18 VAC 125-20-10	Amended	16:2 VA.R. 210	11/10/99
18 VAC 125-20-30	Amended	16:2 VA.R. 210	11/10/99
18 VAC 125-20-40	Amended	16:2 VA.R. 210	11/10/99
18 VAC 125-20-41	Added	16:2 VA.R. 211	11/10/99
18 VAC 125-20-42	Added	16:2 VA.R. 211	11/10/99
18 VAC 125-20-50	Repealed	16:2 VA.R. 212	11/10/99
18 VAC 125-20-51	Repealed	16:2 VA.R. 212	11/10/99
18 VAC 125-20-52	Repealed	16:2 VA.R. 212	11/10/99
18 VAC 125-20-53	Repealed	16:2 VA.R. 213	11/10/99
18 VAC 125-20-54	Added	16:2 VA.R. 214	11/10/99
18 VAC 125-20-55	Added	16:2 VA.R. 214	11/10/99
18 VAC 125-20-56	Added	16:2 VA.R. 215	11/10/99
18 VAC 125-20-60	Repealed	16:2 VA.R. 216	11/10/99
18 VAC 125-20-65	Added	16:2 VA.R. 216	11/10/99
18 VAC 125-20-70	Repealed	16:2 VA.R. 216	11/10/99
18 VAC 125-20-80	Amended	16:2 VA.R. 217	11/10/99
18 VAC 125-20-90	Repealed	16:2 VA.R. 217	11/10/99
18 VAC 125-20-100	Repealed	16:2 VA.R. 217	11/10/99
18 VAC 125-20-120	Amended	16:2 VA.R. 218	11/10/99
18 VAC 125-20-130	Amended	16:2 VA.R. 218	11/10/99
18 VAC 125-20-140	Repealed	16:2 VA.R. 218	11/10/99
18 VAC 125-20-150	Amended	16:2 VA.R. 218	11/10/99
18 VAC 125-20-150	Erratum	16:4 VA.R. 444	--
18 VAC 125-20-160	Amended	16:2 VA.R. 219	11/10/99
18 VAC 125-20-170	Amended	16:2 VA.R. 219	11/10/99

# Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
18 VAC 160-20-40	Amended	15:24 VA.R. 3490	11/1/99
<b>Title 19. Public Safety</b>			
19 VAC 30-20-80	Amended	16:9 VA.R. 1150	3/15/00
19 VAC 30-20-150	Amended	16:9 VA.R. 1150	3/15/00
19 VAC 30-70 Appendix A	Amended	15:25 VA.R. 3364	7/29/99
19 VAC 30-165-10 emer	Added	16:3 VA.R. 339	9/24/99-9/23/00
19 VAC 30-165-20 emer	Added	16:3 VA.R. 340	9/24/99-9/23/00
19 VAC 30-165-30 emer	Added	16:3 VA.R. 340	9/24/99-9/23/00
19 VAC 30-165-40 emer	Added	16:3 VA.R. 340	9/24/99-9/23/00
19 VAC 30-165-50 emer	Added	16:3 VA.R. 340	9/24/99-9/23/00
19 VAC 30-165-60 emer	Added	16:3 VA.R. 340	9/24/99-9/23/00
<b>Title 20. Public Utilities and Telecommunications</b>			
20 VAC 5-400-200	Added	16:10 VA.R. 1226	1/12/00
<b>Title 22. Social Services</b>			
22 VAC 30-40-10 through 22 VAC 30-40-150	Added	16:10 VA.R. 1227-1233	3/1/00
22 VAC 40-50-10 et seq.	Repealed	15:24 VA.R. 3250	9/15/99
22 VAC 40-60-10 through 22 VAC 40-60-60	Amended	16:12 VA.R. 1676-1679	7/1/00
22 VAC 40-60-70	Repealed	16:12 VA.R. 1679	7/1/00
22 VAC 40-60-80	Amended	16:12 VA.R. 1679	7/1/00
22 VAC 40-60-90	Amended	16:12 VA.R. 1679	7/1/00
22 VAC 40-60-100	Repealed	16:12 VA.R. 1680	7/1/00
22 VAC 40-60-110 through 22 VAC 40-60-150	Amended	16:12 VA.R. 1680	7/1/00
22 VAC 40-60-180	Amended	16:12 VA.R. 1680	7/1/00
22 VAC 40-60-190	Amended	16:12 VA.R. 1680	7/1/00
22 VAC 40-60-200	Amended	16:12 VA.R. 1681	7/1/00
22 VAC 40-60-210	Repealed	16:12 VA.R. 1681	7/1/00
22 VAC 40-60-220	Repealed	16:12 VA.R. 1681	7/1/00
22 VAC 40-60-230	Repealed	16:12 VA.R. 1681	7/1/00
22 VAC 40-60-235	Added	16:12 VA.R. 1681	7/1/00
22 VAC 40-60-240	Repealed	16:12 VA.R. 1682	7/1/00
22 VAC 40-60-250	Repealed	16:12 VA.R. 1682	7/1/00
22 VAC 40-60-260	Amended	16:12 VA.R. 1683	7/1/00
22 VAC 40-60-270	Amended	16:12 VA.R. 1683	7/1/00
22 VAC 40-60-280	Amended	16:12 VA.R. 1683	7/1/00
22 VAC 40-60-290	Repealed	16:12 VA.R. 1683	7/1/00
22 VAC 40-60-300	Amended	16:12 VA.R. 1683	7/1/00
22 VAC 40-60-310	Repealed	16:12 VA.R. 1683	7/1/00
22 VAC 40-60-320	Amended	16:12 VA.R. 1684	7/1/00
22 VAC 40-60-330	Amended	16:12 VA.R. 1684	7/1/00
22 VAC 40-60-340	Amended	16:12 VA.R. 1684	7/1/00
22 VAC 40-60-350	Repealed	16:12 VA.R. 1685	7/1/00
22 VAC 40-60-360	Repealed	16:12 VA.R. 1685	7/1/00
22 VAC 40-60-370 through 22 VAC 40-60-420	Amended	16:12 VA.R. 1685	7/1/00
22 VAC 40-60-425	Added	16:12 VA.R. 1686	7/1/00
22 VAC 40-60-430 through 22 VAC 40-60-470	Amended	16:12 VA.R. 1686-1687	7/1/00
22 VAC 40-60-480	Repealed	16:12 VA.R. 1687	7/1/00
22 VAC 40-60-490	Amended	16:12 VA.R. 1687	7/1/00
22 VAC 40-60-510	Amended	16:12 VA.R. 1688	7/1/00
22 VAC 40-60-520	Amended	16:12 VA.R. 1688	7/1/00
22 VAC 40-60-530	Repealed	16:12 VA.R. 1688	7/1/00
22 VAC 40-60-540	Repealed	16:12 VA.R. 1688	7/1/00
22 VAC 40-60-550	Amended	16:12 VA.R. 1688	7/1/00
22 VAC 40-60-554	Added	16:12 VA.R. 1689	7/1/00
22 VAC 40-60-556	Added	16:12 VA.R. 1689	7/1/00
22 VAC 40-60-560	Amended	16:12 VA.R. 1689	7/1/00
22 VAC 40-60-564	Added	16:12 VA.R. 1689	7/1/00

## Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
22 VAC 40-60-570 through 22 VAC 40-60-610	Amended	16:12 VA.R. 1689-1691	7/1/00
22 VAC 40-60-620 through 22 VAC 40-60-650	Repealed	16:12 VA.R. 1691-1692	7/1/00
22 VAC 40-60-670	Repealed	16:12 VA.R. 1692	7/1/00
22 VAC 40-60-680	Amended	16:12 VA.R. 1692	7/1/00
22 VAC 40-60-690	Amended	16:12 VA.R. 1692	7/1/00
22 VAC 40-60-691	Added	16:12 VA.R. 1692	7/1/00
22 VAC 40-60-692	Added	16:12 VA.R. 1692	7/1/00
22 VAC 40-60-694	Added	16:12 VA.R. 1693	7/1/00
22 VAC 40-60-695	Added	16:12 VA.R. 1693	7/1/00
22 VAC 40-60-697	Added	16:12 VA.R. 1693	7/1/00
22 VAC 40-60-698	Added	16:12 VA.R. 1693	7/1/00
22 VAC 40-60-699	Added	16:12 VA.R. 1695	7/1/00
22 VAC 40-60-700	Amended	16:12 VA.R. 1696	7/1/00
22 VAC 40-60-705	Added	16:12 VA.R. 1696	7/1/00
22 VAC 40-60-710 through 22 VAC 40-60-760	Repealed	16:12 VA.R. 1697	7/1/00
22 VAC 40-60-770	Amended	16:12 VA.R. 1697	7/1/00
22 VAC 40-60-780	Amended	16:12 VA.R. 1697	7/1/00
22 VAC 40-60-790	Repealed	16:12 VA.R. 1697	7/1/00
22 VAC 40-60-800	Amended	16:12 VA.R. 1697	7/1/00
22 VAC 40-60-810 through 22 VAC 40-60-840	Repealed	16:12 VA.R. 1697-1698	7/1/00
22 VAC 40-60-850	Amended	16:12 VA.R. 1698	7/1/00
22 VAC 40-60-860	Amended	16:12 VA.R. 1698	7/1/00
22 VAC 40-60-870	Repealed	16:12 VA.R. 1698	7/1/00
22 VAC 40-60-880	Amended	16:12 VA.R. 1698	7/1/00
22 VAC 40-60-885	Added	16:12 VA.R. 1699	7/1/00
22 VAC 40-60-890 through 22 VAC 40-60-950	Repealed	16:12 VA.R. 1699	7/1/00
22 VAC 40-60-960	Amended	16:12 VA.R. 1699	7/1/00
22 VAC 40-60-970	Repealed	16:12 VA.R. 1700	7/1/00
22 VAC 40-60-980	Amended	16:12 VA.R. 1700	7/1/00
22 VAC 40-60-990	Repealed	16:12 VA.R. 1700	7/1/00
22 VAC 40-60-1000	Repealed	16:12 VA.R. 1700	7/1/00
22 VAC 40-60-1010	Amended	16:12 VA.R. 1700	7/1/00
22 VAC 40-60-1020	Amended	16:12 VA.R. 1700	7/1/00
22 VAC 40-60-1030 through 22 VAC 40-60-1060	Repealed	16:12 VA.R. 1701-1702	7/1/00
22 VAC 40-150-10 et seq.	Repealed	16:10 VA.R. 1233	7/1/00
22 VAC 40-705-10	Amended	16:12 VA.R. 1705	3/29/00
22 VAC 40-705-40	Amended	16:12 VA.R. 1707	3/29/00
22 VAC 40-710-10 et seq.	Repealed	16:4 VA.R. 412	12/8/99
22 VAC 40-820-10 et seq.	Repealed	16:5 VA.R. 599	12/22/99
22 VAC 40-880-350	Amended	16:4 VA.R. 413	12/8/99
22 VAC 42-10-10 through 22 VAC 42-10-1000	Added	16:10 VA.R. 1234-1267	7/1/00
<b>Title 24. Transportation and Motor Vehicles</b>			
24 VAC 30-130-10	Amended	16:2 VA.R. 229	9/13/99

---

# NOTICES OF INTENDED REGULATORY ACTION

---

---

## Symbol Key

† Indicates entries since last publication of the *Virginia Register*

---

## TITLE 9. ENVIRONMENT

### STATE AIR POLLUTION CONTROL BOARD

#### Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Air Pollution Control Board intends to consider promulgating regulations entitled: **9 VAC 5-210-10 et seq. Regulation for Dispute Resolution**. The purpose of the proposed action is to establish requirements to govern the use of mediation and dispute resolution in regulation development and permit issuance. Section 10.1-1186.3 A of the Code of Virginia allows the State Air Pollution Control Board to use mediation and alternative dispute resolution to resolve underlying issues, to reach a consensus, or to compromise on contested issues related to the development of a regulation or to the issuance of a permit. Section 10.1-1186.3 D of the Code of Virginia specifies that the board shall adopt regulations in accordance with the Administrative Process Act for the implementation of § 10.1-1186.3. These regulations are to include (i) standards and procedures for the conduct of mediation and dispute resolution, (ii) the appointment and function of a neutral; and (iii) procedures to protect the confidentiality of papers, work product, or other materials.

Beginning in the early 1970s, federal, state, and local governments have increasingly used mediation and other consensus-building tools as an alternative to more traditional means of resolving disputes. These consensus-building tools are intended to supplement, not replace, conventional legislative, judicial, administrative, or regulatory mechanisms. The benefits of dispute resolution (DR) are many:

(1) DR achieves results satisfactory to all parties. Since each party learns to search for common ground and to recognize similar interests in the other parties, the traditional "hero vs. villain" illusion of adversarial disputes is avoided. Because the eventual solution is beneficial to all parties rather than to only one, the process produces mutual satisfaction in all parties, rather than winners and losers. Studies by the American Arbitration Association show that 80% of participants were satisfied with their DR programs regardless of process or outcome.

(2) DR saves money. For instance, a single mediation undertaken by the New Jersey Center for Public Dispute Resolution to settle a dispute with the federal government over the state's emergency transport system avoided a potential loss of \$20 million in federal funds.

(3) DR accelerates the decision-making process. Because the concerned parties have a vested interest in achieving a speedy settlement, resolutions are generally reached in much less time through DR than is required

for resolutions to be reached through more traditional means.

(4) DR decreases the load on the court system. For instance, Cincinnati's Institute of Justice Private Complaint Program has reduced the municipal court's caseload by a third every year since 1974, with nearly half of the referred cases settled out of court and others being referred to noncourt agencies. Government decision-makers sometimes perceive litigation as a politically safer option than DR since the court can be blamed for any undesirable outcome. These decision-makers, however, have much more control over the outcome through DR than through litigation. Furthermore, they can still exercise their right to a court settlement if DR fails.

(5) DR is politically advantageous to the involved parties by enhancing their reputation for consensus-building and problem-solving. Because DR has developed only over the course of the past two decades, some local government officials and other small-group representatives are unaware of its existence or question its legitimacy as a problem-solving tool appropriate to the inherently conservative atmosphere of government. But DR is not the same as binding arbitration: its use is neither an admission of failure nor an abdication of authority, but a demonstration that the involved parties are sufficiently dedicated to the public good to be willing to compromise in order to reach a solution.

A large number of the issues settled through DR are environmental ones. Dispute resolution centers in New Jersey, Massachusetts, Minnesota, New York, New Mexico, Georgia, Florida, and many other states have initiated important discussions and facilitated agreements involving complex and controversial issues like the establishment of regional sewage treatment facilities, the siting of solid waste disposal facilities, the disposal of hazardous waste, the clean-up of a Superfund site, the spraying of herbicides, the adoption of environmental standards, and the siting of underground storage tanks. A well-known example of the successful use of mediation to address an environmental problem is the decade-long public battle over the development of Hawaii's first state water code, which pitted developers against environmentalists, large landowners against small ones, and the counties against the state. This battle produced one legislative stalemate after another to the frustration of all parties but was finally resolved through mediation conducted by Hawaii's Program on Alternative Dispute Resolution.

An example of what happens without DR is the case of the Hampton-Roads refinery in Virginia. The refinery was proposed in 1970, discussed for over a decade, but never built. Contributing to the failure of the project were badly timed changes in the permitting process, understaffing of the State Air Pollution Control Board, statutory vagueness, siting



---

# Notices of Intended Regulatory Action

---

disagreements, lack of communication within the Army Corps of engineers, angry citizens, gubernatorial dissatisfaction with the progress of the project, the involvement of the federal government through both the Department of the Interior and the military, and the expiration of the initially issued permits. At the end of the failed project, the company's expenses were over six million dollars, with about half of that in legal fees. The Army Corps of Engineers' bill for legal fees was at least that amount. This case is a good example of the many such environmental disputes which die of exhaustion rather than being settled fairly and thoughtfully. Millions of dollars and thousands of labor years were squandered without an equitable settlement.

One way for Virginia to avoid this situation in the future is to adopt regulations that enable it to implement § 10.1-1186.3 of the Code of Virginia.

The primary issues that need to be addressed in the development of the regulation are those specified in § 10.1-1186.3 (see "Legal Requirements" above). Secondary issues may involve procedural matters such as the division of costs, scheduling requirements, and so on.

Alternatives to the proposed regulation amendments are being considered by the department. The department has tentatively determined that the first alternative is appropriate, as it is the least burdensome and least intrusive alternative that fully meets the purpose of the regulatory action. The alternatives being considered by the department are discussed below.

1. Amend the regulations to satisfy the provisions of the law. This option is being selected because it meets the stated purpose of the regulatory action: to comply with the mandate of § 10.1-1186.3 of the Code of Virginia that requires the adoption of regulations for the use of mediation or alternative dispute resolution in the development of a regulation or in the issuance of a permit.
2. Make alternative regulatory changes to those required by the provisions of the law and associated regulations and policies. This option is not being selected because it does not meet the stated purpose of the regulatory action.
3. Take no action to amend the regulations. This option is not being selected because it does not meet the stated purpose of the regulatory action.

As provided in the public participation procedures of the State Air Pollution Control Board, the department will include, in the subsequent Notice of Intended Regulatory Action, a description of the above alternatives and a request for comments on other alternatives and the costs and benefits of the above alternatives or the other alternatives that the commenters may provide.

In the formulation of this regulation, the department will consider the impact of the regulation on family formation, stability, and autonomy. It is not anticipated that this regulation will have a direct impact on families. However, there may be positive indirect impacts in that the regulation will streamline and accelerate environmental negotiations.

Such streamlining and acceleration will lessen the enforcement burden and its attendant costs to taxpayers.

The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: § 10.1-1186.3 of the Code of Virginia.

Public comments may be submitted until 4:30 p.m., March 30, 2000, to the Director, Office of Air Regulatory Development, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240.

**Contact:** Dr. Kathleen Sands, Policy Analyst, Office of Regulatory Development, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4413, FAX (804) 698-4510, toll-free 1-800-592-5482, or (804) 698-4021/TTY ☎

VA.R. Doc. No. R00-136; Filed February 9, 2000, 10:56 a.m.

## VIRGINIA WASTE MANAGEMENT BOARD

### Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Virginia Waste Management Board intends to consider promulgating regulations entitled: **9 VAC 20-15-10 et seq. Regulation for Dispute Resolution**. The purpose of the proposed action is to establish requirements to govern the use of mediation and dispute resolution in regulation development and permit issuance.

Section 10.1-1186.3 A of the Code of Virginia allows the Virginia Waste Management Board to use mediation and alternative dispute resolution to resolve underlying issues, to reach a consensus, or to compromise on contested issues related to the development of a regulation or to the issuance of a permit. Section 10.1-1186.3 D of the Code of Virginia specifies that the board shall adopt regulations in accordance with the Administrative Process Act for the implementation of § 10.1-1186.3. These regulations are to include (i) standards and procedures for the conduct of mediation and dispute resolution, (ii) the appointment and function of a neutral; and (iii) procedures to protect the confidentiality of papers, work product, or other materials.

Beginning in the early 1970s, federal, state, and local governments have increasingly used mediation and other consensus-building tools as an alternative to more traditional means of resolving disputes. These consensus-building tools are intended to supplement, not replace, conventional legislative, judicial, administrative, or regulatory mechanisms. The benefits of dispute resolution (DR) are many:

- (1) DR achieves results satisfactory to all parties. Since each party learns to search for common ground and to recognize similar interests in the other parties, the traditional "hero vs. villain" illusion of adversarial disputes is avoided. Because the eventual solution is beneficial to all parties rather than to only one, the process produces mutual satisfaction in all parties, rather than winners and losers. Studies by the American Arbitration Association

---

## Notices of Intended Regulatory Action

---

show that 80% of participants were satisfied with their DR programs regardless of process or outcome.

(2) DR saves money. For instance, a single mediation undertaken by the New Jersey Center for Public Dispute Resolution to settle a dispute with the federal government over the state's emergency transport system avoided a potential loss of \$20 million in federal funds.

(3) DR accelerates the decision-making process. Because the concerned parties have a vested interest in achieving a speedy settlement, resolutions are generally reached in much less time through DR than is required for resolutions to be reached through more traditional means.

(4) DR decreases the load on the court system. For instance, Cincinnati's Institute of Justice Private Complaint Program has reduced the municipal court's caseload by a third every year since 1974, with nearly half of the referred cases settled out of court and others being referred to noncourt agencies. Government decision-makers sometimes perceive litigation as a politically safer option than DR since the court can be blamed for any undesirable outcome. These decision-makers, however, have much more control over the outcome through DR than through litigation. Furthermore, they can still exercise their right to a court settlement if DR fails.

(5) DR is politically advantageous to the involved parties by enhancing their reputation for consensus-building and problem-solving. Because DR has developed only over the course of the past two decades, some local government officials and other small-group representatives are unaware of its existence or question its legitimacy as a problem-solving tool appropriate to the inherently conservative atmosphere of government. But DR is not the same as binding arbitration: its use is neither an admission of failure nor an abdication of authority, but a demonstration that the involved parties are sufficiently dedicated to the public good to be willing to compromise in order to reach a solution.

A large number of the issues settled through DR are environmental ones. Dispute resolution centers in New Jersey, Massachusetts, Minnesota, New York, New Mexico, Georgia, Florida, and many other states have initiated important discussions and facilitated agreements involving complex and controversial issues like the establishment of regional sewage treatment facilities, the siting of solid waste disposal facilities, the disposal of hazardous waste, the clean-up of a Superfund site, the spraying of herbicides, the adoption of environmental standards, and the siting of underground storage tanks. A well-known example of the successful use of mediation to address an environmental problem is the decade-long public battle over the development of Hawaii's first state water code, which pitted developers against environmentalists, large landowners against small ones, and the counties against the state. This battle produced one legislative stalemate after another to the frustration of all parties but was finally resolved through mediation conducted by Hawaii's Program on Alternative Dispute Resolution.

An example of what happens without DR is the case of the Hampton-Roads refinery in Virginia. The refinery was proposed in 1970, discussed for over a decade, but never built. Contributing to the failure of the project were badly timed changes in the permitting process, understaffing of the State Air Pollution Control Board, statutory vagueness, siting disagreements, lack of communication within the Army Corps of engineers, angry citizens, gubernatorial dissatisfaction with the progress of the project, the involvement of the federal government through both the Department of the Interior and the military, and the expiration of the initially issued permits. At the end of the failed project, the company's expenses were over six million dollars, with about half of that in legal fees. The Army Corps of Engineers' bill for legal fees was at least that amount. This case is a good example of the many such environmental disputes which die of exhaustion rather than being settled fairly and thoughtfully. Millions of dollars and thousands of labor years were squandered without an equitable settlement.

One way for Virginia to avoid this situation in the future is to adopt regulations that enable it to implement § 10.1-1186.3 of the Code of Virginia.

The primary issues that need to be addressed in the development of the regulation are those specified in § 10.1-1186.3 (see "Legal Requirements" above). Secondary issues may involve procedural matters such as the division of costs, scheduling requirements, and so on.

Alternatives to the proposed regulation amendments are being considered by the department. The department has tentatively determined that the first alternative is appropriate, as it is the least burdensome and least intrusive alternative that fully meets the purpose of the regulatory action. The alternatives being considered by the department are discussed below.

1. Amend the regulations to satisfy the provisions of the law. This option is being selected because it meets the stated purpose of the regulatory action: to comply with the mandate of § 10.1-1186.3 of the Code of Virginia that requires the adoption of regulations for the use of mediation or alternative dispute resolution in the development of a regulation or in the issuance of a permit.
2. Make alternative regulatory changes to those required by the provisions of the law and associated regulations and policies. This option is not being selected because it does not meet the stated purpose of the regulatory action.
3. Take no action to amend the regulations. This option is not being selected because it does not meet the stated purpose of the regulatory action.

As provided in the public participation procedures of the Virginia Waste Management Board, the department will include, in the subsequent Notice of Intended Regulatory Action, a description of the above alternatives and a request for comments on other alternatives and the costs and benefits of the above alternatives or the other alternatives that the commenters may provide.

---

# Notices of Intended Regulatory Action

---

In the formulation of this regulation, the department will consider the impact of the regulation on family formation, stability, and autonomy. It is not anticipated that this regulation will have a direct impact on families. However, there may be positive indirect impacts in that the regulation will streamline and accelerate environmental negotiations. Such streamlining and acceleration will lessen the enforcement burden and its attendant costs to taxpayers.

The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: § 10.1-1186.3 of the Code of Virginia.

Public comments may be submitted until 4:30 p.m., March 30, 2000, to the Director, Office of Air Regulatory Development, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240.

**Contact:** Dr. Kathleen Sands, Policy Analyst, Office of Regulatory Development, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4413, FAX (804) 698-4510, toll-free 1-800-592-5482, or (804) 698-4021/TTY ☎

VA.R. Doc. No. R00-139; Filed February 9, 2000, 10:56 a.m.

## Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Virginia Waste Management Board intends to consider amending regulations entitled: **9 VAC 20-70-10 et seq. Financial Assurance Regulations for Solid Waste Facilities.** The amendments further protect the public from bearing the burden of costs associated with abandoned solid waste treatment and disposal facilities. The board will review and evaluate the existing regulations to determine the most effective method of strengthening the existing financial assurance requirements.

**Request for Comments.** The board requests comments on the intended regulatory action, including ideas to assist the board in the development of a proposal. In addition, the board seeks comments on the costs and benefits of any stated alternative or other alternatives.

**Public Meeting.** The department will hold a public meeting to receive comments from the public on Thursday, March 2, 2000, at 9 a.m. in the 10th Floor Conference Room, Department of Environmental Quality's Office, 629 E. Main Street, in Richmond.

**Technical Advisory Committee.** Persons wishing to assist in the development of a proposal by serving on a technical advisory committee should contact Melissa Porterfield at (804) 698-4238.

The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: § 10.1-1402 and 10.1-1410 of the Code of Virginia.

Public comments may be submitted until March 17, 2000.

**Contact:** Melissa Porterfield, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4238.

VA.R. Doc. No. R00-91; Filed January 12, 2000, 11:36 a.m.

## STATE WATER CONTROL BOARD

### Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Water Control Board intends to consider promulgating regulations entitled: **9 VAC 25-15-10 et seq. Regulation for Dispute Resolution.** The purpose of the proposed action is to establish requirements to govern the use of mediation and dispute resolution in regulation development and permit issuance. Section 10.1-1186.3 A of the Code of Virginia allows the State Water Control Board to use mediation and alternative dispute resolution to resolve underlying issues, to reach a consensus, or to compromise on contested issues related to the development of a regulation or to the issuance of a permit. Section 10.1-1186.3 D of the Code of Virginia specifies that the board shall adopt regulations in accordance with the Administrative Process Act for the implementation of § 10.1-1186.3. These regulations are to include (i) standards and procedures for the conduct of mediation and dispute resolution, (ii) the appointment and function of a neutral; and (iii) procedures to protect the confidentiality of papers, work product, or other materials.

Beginning in the early 1970s, federal, state, and local governments have increasingly used mediation and other consensus-building tools as an alternative to more traditional means of resolving disputes. These consensus-building tools are intended to supplement, not replace, conventional legislative, judicial, administrative, or regulatory mechanisms. The benefits of dispute resolution (DR) are many:

(1) DR achieves results satisfactory to all parties. Since each party learns to search for common ground and to recognize similar interests in the other parties, the traditional "hero vs. villain" illusion of adversarial disputes is avoided. Because the eventual solution is beneficial to all parties rather than to only one, the process produces mutual satisfaction in all parties, rather than winners and losers. Studies by the American Arbitration Association show that 80% of participants were satisfied with their DR programs regardless of process or outcome.

(2) DR saves money. For instance, a single mediation undertaken by the New Jersey Center for Public Dispute Resolution to settle a dispute with the federal government over the state's emergency transport system avoided a potential loss of \$20 million in federal funds.

(3) DR accelerates the decision-making process. Because the concerned parties have a vested interest in achieving a speedy settlement, resolutions are generally reached in much less time through DR than is required for resolutions to be reached through more traditional means.

---

## Notices of Intended Regulatory Action

---

(4) DR decreases the load on the court system. For instance, Cincinnati's Institute of Justice Private Complaint Program has reduced the municipal court's caseload by a third every year since 1974, with nearly half of the referred cases settled out of court and others being referred to noncourt agencies. Government decision-makers sometimes perceive litigation as a politically safer option than DR since the court can be blamed for any undesirable outcome. These decision-makers, however, have much more control over the outcome through DR than through litigation. Furthermore, they can still exercise their right to a court settlement if DR fails.

(5) DR is politically advantageous to the involved parties by enhancing their reputation for consensus-building and problem-solving. Because DR has developed only over the course of the past two decades, some local government officials and other small-group representatives are unaware of its existence or question its legitimacy as a problem-solving tool appropriate to the inherently conservative atmosphere of government. But DR is not the same as binding arbitration: its use is neither an admission of failure nor an abdication of authority, but a demonstration that the involved parties are sufficiently dedicated to the public good to be willing to compromise in order to reach a solution.

A large number of the issues settled through DR are environmental ones. Dispute resolution centers in New Jersey, Massachusetts, Minnesota, New York, New Mexico, Georgia, Florida, and many other states have initiated important discussions and facilitated agreements involving complex and controversial issues like the establishment of regional sewage treatment facilities, the siting of solid waste disposal facilities, the disposal of hazardous waste, the clean-up of a Superfund site, the spraying of herbicides, the adoption of environmental standards, and the siting of underground storage tanks. A well-known example of the successful use of mediation to address an environmental problem is the decade-long public battle over the development of Hawaii's first state water code, which pitted developers against environmentalists, large landowners against small ones, and the counties against the state. This battle produced one legislative stalemate after another to the frustration of all parties but was finally resolved through mediation conducted by Hawaii's Program on Alternative Dispute Resolution.

An example of what happens without DR is the case of the Hampton-Roads refinery in Virginia. The refinery was proposed in 1970, discussed for over a decade, but never built. Contributing to the failure of the project were badly timed changes in the permitting process, understaffing of the State Air Pollution Control Board, statutory vagueness, siting disagreements, lack of communication within the Army Corps of engineers, angry citizens, gubernatorial dissatisfaction with the progress of the project, the involvement of the federal government through both the Department of the Interior and the military, and the expiration of the initially issued permits. At the end of the failed project, the company's expenses were over six million dollars, with about half of that in legal fees. The Army Corps of Engineers' bill for legal fees was at least

that amount. This case is a good example of the many such environmental disputes which die of exhaustion rather than being settled fairly and thoughtfully. Millions of dollars and thousands of labor years were squandered without an equitable settlement.

One way for Virginia to avoid this situation in the future is to adopt regulations that enable it to implement § 10.1-1186.3 of the Code of Virginia.

The primary issues that need to be addressed in the development of the regulation are those specified in § 10.1-1186.3 (see "Legal Requirements" above). Secondary issues may involve procedural matters such as the division of costs, scheduling requirements, and so on.

Alternatives to the proposed regulation amendments are being considered by the department. The department has tentatively determined that the first alternative is appropriate, as it is the least burdensome and least intrusive alternative that fully meets the purpose of the regulatory action. The alternatives being considered by the department are discussed below.

1. Amend the regulations to satisfy the provisions of the law. This option is being selected because it meets the stated purpose of the regulatory action: to comply with the mandate of § 10.1-1186.3 of the Code of Virginia that requires the adoption of regulations for the use of mediation or alternative dispute resolution in the development of a regulation or in the issuance of a permit.
2. Make alternative regulatory changes to those required by the provisions of the law and associated regulations and policies. This option is not being selected because it does not meet the stated purpose of the regulatory action.
3. Take no action to amend the regulations. This option is not being selected because it does not meet the stated purpose of the regulatory action.

As provided in the public participation procedures of the State Water Control Board, the department will include, in the subsequent Notice of Intended Regulatory Action, a description of the above alternatives and a request for comments on other alternatives and the costs and benefits of the above alternatives or the other alternatives that the commenters may provide.

In the formulation of this regulation, the department will consider the impact of the regulation on family formation, stability, and autonomy. It is not anticipated that this regulation will have a direct impact on families. However, there may be positive indirect impacts in that the regulation will streamline and accelerate environmental negotiations. Such streamlining and acceleration will lessen the enforcement burden and its attendant costs to taxpayers.

The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: § 10.1-1186.3 of the Code of Virginia.

---

# Notices of Intended Regulatory Action

---

Public comments may be submitted until 4:30 p.m., March 30, 2000, to the Director, Office of Air Regulatory Development, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240.

**Contact:** Dr. Kathleen Sands, Policy Analyst, Office of Regulatory Development, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4413, FAX (804) 698-4510, toll-free 1-800-592-5482, or (804) 698-4021/TTY ☎

VA.R. Doc. No. R00-140; Filed February 9, 2000, 10:56 a.m.

## Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Water Control Board intends to consider amending regulations entitled: **9 VAC 25-110-10 et seq. General VPDES Permit for Domestic Sewage Discharges of Less Than or Equal to 1,000 Gallons Per Day.** The purpose of the proposed action is to reissue the existing general permit which expires on August 1, 2001. The general permit will establish limitations and monitoring requirements for domestic sewage discharges less than or equal to 1,000 gallons per day. As with an individual VPDES permit, the effluent limits in the general permit will be set to protect the quality of the waters receiving the discharges. A technical advisory committee will be formed to assist in the development of the regulation. The primary function of the committee will be to develop recommendations to the board for the content of the reissued general permit through a process of negotiation and consensus. Persons who desire to be on the committee should notify the agency contact person in writing by 4:30 p.m. on Wednesday, March 15, 2000, and provide name, address, telephone number and the organization represented (if any). Notification of the composition of the technical advisory committee will be sent to all applicants. Following publication of the draft general permit regulation in the Virginia Register, the board will hold at least one public hearing to provide opportunity for public comment.

Statutory Authority: § 62.1-44.15 of the Code of Virginia.

Public comments may be submitted until 4:30 p.m. on Wednesday, March 15, 2000.

**Contact:** Lily Choi, Office of Water Permit Programs, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4054 or FAX (804) 698-4032.

VA.R. Doc. No. R00-101; Filed January 27, 2000, 11:34 a.m.

## Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Water Control Board intends to consider amending regulations entitled: **9 VAC 25-115-10 et seq. General VPDES Permit for Seafood Processing Facilities.** The purpose of the proposed action is to reissue the existing general permit which expires on July 24, 2001. The general permit will establish limitations and monitoring requirements for discharges of wastewater from seafood

processing facilities. As with an individual VPDES permit, the effluent limits in the general permit will be set to protect the quality of the waters receiving the discharges. A technical advisory committee will be formed to assist in the development of the regulation. The primary function of the committee will be to develop recommendations to the board for the content of the reissued general permit through a process of negotiation and consensus. Persons who desire to be on the committee should notify the agency contact person in writing by 4:30 p.m. on Wednesday, March 15, 2000, and provide name, address, telephone number and the organization represented (if any). Notification of the composition of the technical advisory committee will be sent to all applicants. Following publication of the draft general permit regulation in the Virginia Register, the board will hold at least one public hearing to provide opportunity for public comment.

Statutory Authority: § 62.1-44.15 of the Code of Virginia.

Public comments may be submitted until 4:30 p.m. on Wednesday, March 15, 2000.

**Contact:** Michael Gregory, Office of Water Permit Programs, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4065 or FAX (804) 698-4032.

VA.R. Doc. No. R00-100; Filed January 27, 2000, 11:34 a.m.

## Notice of Intended Regulatory Action

### Extension of Public Comment Period

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Water Control Board intends to consider amending regulations entitled: **9 VAC 25-260-5 et seq. Water Quality Standards.** The purpose of the proposed action is to consider amending the water quality standards to update numerical or narrative criteria for dissolved oxygen for certain waters of the Chesapeake Bay and other naturally occurring low dissolved oxygen waters where current criteria are not appropriate.

Intent: The intent of this rulemaking is to protect designated and beneficial uses in the Commonwealth by adopting regulations that are technically correct and reasonable. These standards will be used in setting Virginia Pollutant Discharge Elimination System Permit limits and for evaluating the waters of the Commonwealth for inclusion in the federal Clean Water Act § 305(b) report and § 303(d) list. Waters not meeting standards will require development of a Total Maximum Daily Load under the federal Clean Water Act § 303(d).

Need: This rulemaking is needed because the current dissolved oxygen criteria (4mg/l minimum and 5mg/l daily average) are not appropriate in waters where the naturally occurring dissolved oxygen levels are below the existing criteria. These types of water may include the deep trenches of the Chesapeake Bay, the deep waters of stratified lakes and wetlands. Changes to these criteria are needed to

---

# Notices of Intended Regulatory Action

---

facilitate permitting, monitoring and Total Maximum Daily Load development.

Alternatives Available to Meet the Need: Many alternatives in the subject areas listed will become available as DEQ staff and the public begin to review scientific data and the needs of permitting and monitoring. DEQ will work in conjunction with other state and federal agencies to consider various alternatives. Alternatives provided by the public will also be considered.

The department has not accepted nor rejected any alternatives as of yet. Some alternatives being considered by the agency now include, but are not limited to, the following:

- whether we should include alternative dissolved oxygen criteria for the Chesapeake Bay, wetlands and lakes;
- whether we should consider for adoption the Chesapeake Bay Living Resources Goals or Environmental Protection Agency criteria or some other criteria;
- whether zones for application of the criteria should be included and what these zones should be (i.e. application of a lower dissolved oxygen criterion one meter off the bottom (for the Bay), in the hypolimnion or below the thermocline (lakes), throughout the column (wetlands) or should some other zone be considered for application of the alternative criteria);
- whether to improve the specific narrative criterion that recognizes natural background differences for all waters. Currently natural conditions in surface water are recognized in the following sections of the regulation: 9 VAC 25-260-10.G, 9 VAC 25-260-50 and 9 VAC 25-260-250;

Request for Comments: Comments are requested on the intended regulatory action, including any ideas to assist the agency in the development of the proposal. Comments are requested on the costs and benefits of the stated alternatives or other alternatives. DEQ also requests comments as to whether the agency should use the participatory approach to assist the agency in the development of the proposal. The participatory approach is defined as a method for the use of (i) standing advisory committees, (ii) ad hoc advisory groups or panels, (iii) consultation with groups or individuals registering interest in working with the agency, or (iv) any combination thereof.

Public Meeting: A public meeting was held on January 27, 2000, at 2 p.m. at the Virginia War Memorial, 621 South Belvidere Street, Richmond, Virginia 23220. The public comment period on the intended regulatory action has been extended until April 7, 2000. Please submit comments to Eleanore Daub, Office of Water Quality Programs, Department of Environmental Quality, 629 East Main Street, Richmond, VA 23219.

The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: § 62.1-44.15 of the Code of Virginia.

Public comments may be submitted until April 7, 2000.

**Contact:** Eleanore Daub, Environmental Program Planner, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4111 or (804) 698-4522.

VA.R. Doc. No. R00-57; Filed December 1, 1999, 8:46 a.m.



---

## TITLE 12. HEALTH

### DEPARTMENT OF MEDICAL ASSISTANCE SERVICES

#### Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Medical Assistance Services intends to consider amending regulations entitled: **12 VAC 30-20-10 et seq. Administration of Medical Assistance Services.** The purpose of the proposed action is to modify the copayment amount for brand name prescription drugs that recipients will be required to pay. The agency does not intend to hold a public hearing on the proposed regulation after publication.

Statutory Authority: § 32.1-325 of the Code of Virginia.

Public comments may be submitted until March 15, 2000, to William Lessard, Program Operations, Department of Medical Assistance Services, 600 East Broad Street, Suite 1300, Richmond, VA 23219.

**Contact:** Victoria P. Simmons, Regulatory Coordinator, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 786-7959 or FAX (804) 786-1680.

VA.R. Doc. No. R00-96; Filed January 19, 2000, 12:07 p.m.

#### Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Medical Assistance Services intends to consider amending regulations entitled: **12 VAC 30-50-10 et seq. Amount, Duration, and Scope of Medical and Remedial Care Services.** The purpose of the proposed action is to convert the provision of transportation to Medicaid recipients from medical service to an administrative expense. This regulatory change will permit DMAS to contract with transportation brokers to authorize, arrange and reimburse necessary nonemergency transportation statewide. The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: § 32.1-325 of the Code of Virginia.

Public comments may be submitted until March 30, 2000, to Jeff Nelson, Analyst, Policy Division, Department of Medical Assistance Services, 600 East Broad Street, Suite 1300, Richmond, VA 23219.

---

# Notices of Intended Regulatory Action

---

**Contact:** Victoria P. Simmons, Regulatory Coordinator, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 786-7959 or FAX (804) 786-1680.

VA.R. Doc. No. R00-102; Filed January 27, 2000, 10:31 a.m.

## Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Medical Assistance Services intends to consider promulgating regulations entitled: **Uninsured Medical Catastrophe Fund**. Pursuant to Chapter 998 of the 1999 Acts of Assembly, the purpose of the proposed action to adopt regulations for the Uninsured Medical Catastrophe Fund (see § 32.1-324.3 of the Code of Virginia) is to (i) further define an uninsured medical catastrophe, including a life-threatening illness or injury requiring specialized medical treatment hospitalization, or both; (ii) establish procedures for distribution of moneys in the fund to pay for the cost of treating uninsured medical catastrophes; (iii) establish application and appeals procedures; and (iv) establish criteria for eligibility for assistance from the fund and the prioritization and allocation of available moneys among applicants for assistance from the fund. The agency does not intend to hold a public hearing on the proposed regulation after publication.

Statutory Authority: § 32.1-325 of the Code of Virginia.

Public comments may be submitted until March 15, 2000, to William Lessard, Program Operations, Department of Medical Assistance Services, 600 East Broad Street, Suite 1300, Richmond, VA 23219.

**Contact:** Victoria P. Simmons, Regulatory Coordinator, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 786-7959 or FAX (804) 786-1680.

## STATE MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES BOARD

### † Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Mental Health, Mental Retardation and Substance Abuse Services Board intends to consider repealing regulations entitled: **12 VAC 35-120-10 et seq. Rules and Regulations to Assure the Rights of Patients of Psychiatric Hospitals and Other Psychiatric Facilities Licensed by the Department of Mental Health, Mental Retardation and Substance Abuse Services**. This regulation, which protects the legal and human rights of all patients of psychiatric hospitals and other psychiatric facilities licensed by the Department of Mental Health, Mental Retardation and Substance Abuse Services, is being repealed and superseded by a regulation that establishes a single standard for community and facility, public and private human rights programs; addresses consumer and family concerns; and reflects current practice and terminology. The

agency does not intend to hold a public hearing on the proposed repeal after publication.

Statutory Authority: § 37.1-84.1 of the Code of Virginia.

Public comments may be submitted until April 12, 2000.

**Contact:** Rita Hines, Acting Director, Office of Human Rights, Department of Mental Health, Mental Retardation and Substance Abuse Services, P.O. Box 1797, Richmond, VA 23218-1797, telephone (804) 786-3988 or FAX (804) 371-2308.

VA.R. Doc. No. R00-141; Filed February 14, 2000, 10:03 a.m.

### † Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Mental Health, Mental Retardation and Substance Abuse Services Board intends to consider repealing regulations entitled: **12 VAC 35-130-10 et seq. Rules and Regulations to Assure the Rights of Clients in Community Programs**. This regulation, which protects the legal and human rights of all clients who receive treatment in community programs licensed or funded by the Department of Mental Health, Mental Retardation and Substance Abuse Services, is being repealed and superseded by a regulation that establishes a single standard for community and facility, public and private human rights programs; addresses consumer and family concerns; and reflects current practice and terminology. The agency does not intend to hold a public hearing on the proposed repeal after publication.

Statutory Authority: § 37.1-84.1 of the Code of Virginia.

Public comments may be submitted until April 12, 2000.

**Contact:** Rita Hines, Acting Director, Office of Human Rights, Department of Mental Health, Mental Retardation and Substance Abuse Services, P.O. Box 1797, Richmond, VA 23218-1797, telephone (804) 786-3988 or FAX (804) 371-2308.

VA.R. Doc. No. R00-142; Filed February 14, 2000, 10:03 a.m.



---

## TITLE 18. PROFESSIONAL AND OCCUPATIONAL LICENSING

### BOARD OF MEDICINE

#### Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Board Medicine intends to consider promulgating regulations entitled: **18 VAC 85-120-10 et seq. Regulations Governing the Certification of Athletic Trainers**. The purpose of the proposed regulation is to promulgate regulations establishing the appropriate training, educational credentials and examination for the certification of athletic trainers; to set forth criteria for continuing

---

# Notices of Intended Regulatory Action

---

competency; and to establish fees as necessary to cover expenditures for regulation of the profession. The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: §§ 54.1-2400 and 54.1-2957.4 of the Code of Virginia.

Public comments may be submitted until March 29, 2000.

**Contact:** William L. Harp, M.D., Executive Director, Board of Medicine, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9908 or FAX (804) 662-9943.

VA.R. Doc. No. R00-104; Filed January 28, 2000, 11:54 a.m.

## BOARDS OF PHARMACY AND MEDICINE

### Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Boards of Pharmacy and Medicine intend to consider promulgating regulations entitled: **18 VAC 110-40-10 et seq. Regulations Governing Collaborative Practice Agreements.** The purpose of the proposed regulation is to adopt regulations pursuant to Chapter 1101 of the 1999 Acts of Assembly which mandates that the boards jointly promulgate regulations to implement the provisions of the statute regarding collaborative practice agreements. The proposed regulations would replace emergency regulations adopted by the boards in order to have regulations in effect within 280 days of the date of the enactment of the bill. The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: §§ 54.1-2400, 54.1-3300 and 54.1-3300.1 of the Code of Virginia.

Public comments may be submitted until March 15, 2000.

**Contact:** Elizabeth Scott Russell, Executive Director, Board of Pharmacy, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9911 or FAX (804) 662-9943.

VA.R. Doc. No. R00-97; Filed January 20, 2000, 4:23 p.m.

---

## TITLE 22. SOCIAL SERVICES

### STATE BOARD OF SOCIAL SERVICES

#### Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Board of Social Services intends to consider repealing regulations entitled:

**22 VAC 40-32-10 et seq. Aid to Families with Dependent Children (AFDC) Program - Determining AFDC Eligibility**

**When the Only Dependent Child Receives Foster Care Benefits.**

**22 VAC 40-290-10. Earned Income Disregards/Student Earnings in the Aid to Families with Dependent Children (AFDC) Program.**

**22 VAC 40-300-10 et seq. Lump Sum Ineligibility Period in the Aid to Families with Dependent Children (AFDC) Program.**

**22 VAC 40-310-10 et seq. Maximum Resource Limit in the Aid to Families with Dependent Children (AFDC) Program.**

**22 VAC 40-320-10 et seq. Disclosure of Information to Law-Enforcement Officers in the Aid to Families with Dependent Children (AFDC) Program.**

**22 VAC 40-330-10 et seq. Collection of Overpayments in the Aid to Families with Dependent Children (AFDC) and Refugee Other Assistance Programs.**

**22 VAC 40-340-10 et seq. Protective Payments in the Aid to Families with Dependent Children (AFDC) and Refugee Other Assistance Programs.**

**22 VAC 40-350-10 et seq. Real Property Disposition Period in the Aid to Families with Dependent Children (AFDC) Program.**

**22 VAC 40-360-10 et seq. Definition of a Home in the Aid to Families with Dependent Children (AFDC) and General Relief (GR) Programs.**

**22 VAC 40-370-10 et seq. Job Training Partnership Act (JTPA) Income Disregards in the Aid to Families with Dependent Children (AFDC) Program.**

**22 VAC 40-380-10 et seq. Disregard of Certain Income Received by Indian Tribes in the Aid to Families with Dependent Children (AFDC) Program.**

**22 VAC 40-390-10 et seq. Persons and Income Required to be Considered When Evaluating Eligibility for Assistance in the Aid to Families with Dependent Children (AFDC) Program.**

**22 VAC 40-420-10 et seq. Aid to Families with Dependent Children: Unemployed Parent Demonstration (AFDC-UP Demo) Project.**

**22 VAC 40-430-10 et seq. Treatment of Casual and Inconsequential Income in the Aid to Families with Dependent Children (AFDC) Program.**

**22 VAC 40-440-10 et seq. Aid to Families with Dependent Children (AFDC) Program - Allocation of Income.**

**22 VAC 40-450-10 et seq. Lump Sum Payments in the Aid to Families with Dependent Children (AFDC) Program.**

**22 VAC 40-460-10 et seq. Deeming of Stepparent Income in the Aid to Families with Dependent Children (AFDC) Program.**

**22 VAC 40-490-10 et seq. Aid to Families with Dependent Children (AFDC) Program - Deprivation Due to the Incapacity of a Parent.**

**22 VAC 40-500-10 et seq. Work-Related Child Care Expense Disregard in the Aid to Families with Dependent Children (AFDC) Program.**

**22 VAC 40-510-10 et seq. Aid to Families with Dependent Children (AFDC) Program - Entitlement Date.**

**22 VAC 40-520-10 et seq. Aid to Families with Dependent Children (AFDC) Program - Disregarded Income and Resources.**



**22 VAC 40-530-10 et seq. Aid to Families with Dependent Children (AFDC) Program - Deprivation Due to Continued Absence.**

**22 VAC 40-550-10 et seq. Aid to Families with Dependent Children (AFDC) Program - Unemployed Parent (AFDC-UP) Program.**

**22 VAC 40-580-10 et seq. Aid to Families with Dependent Children - Elimination of Monthly Reporting.**

**22 VAC 40-590-10 et seq. Aid to Families with Dependent Children - Earned Income Tax Credit (EITC) Disregard.**

**22 VAC 40-610-10 et seq. Aid to Families with Dependent Children (AFDC) Program - Exclusion of Children Receiving Adoption Assistance and Foster Care Maintenance Payment.**

**22 VAC 40-620-10 et seq. Aid to Families with Dependent Children (AFDC) Program - Fifth Degree Specified Relative.**

**22 VAC 40-650-10 et seq. Aid to Families with Dependent Children (AFDC) Program - Disqualification for Intentional Program Violation.**

**22 VAC 40-750-10 et seq. Grant Diversion.**

**22 VAC 40-760-10 et seq. Employment Services Program Policy.**

On August 22, 1996, the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) was enacted, introducing welfare reform at the federal level. In Title I of the Act, Congress replaced the Aid to Families with Dependent Children (AFDC) Program with the Temporary Assistance for Needy Families (TANF) block grant. This block grant considerably reduced federal regulation of cash assistance and employment services programs, allowing states to design their programs within limited parameters.

Because the framework of the AFDC program was repealed by Congress, Virginia adopted pre-TANF federal definitions of eligibility criteria in order to maintain the program as it currently operated in Virginia. To that end, the 1997 Virginia General Assembly adopted legislation that codified the old rules, and an advisory committee comprised of legislators, social services directors and workers, local government officials, and citizens was formed to consider new TANF options. The committee made recommendations to simplify and streamline the TANF and VIEW programs.

The proposed regulations, 22 VAC 40-295-10 et seq., will implement the recommendations of the TANF Advisory Committee and will also serve as a comprehensive program regulation. These regulations will be repealed and any necessary language included in the proposed comprehensive regulation.

The agency does not intend to hold a public hearing on the proposed repeal of these regulations after publication.

Statutory Authority: § 63.1-25 of the Code of Virginia.

Public comments may be submitted until March 29, 2000.

**Contact:** Mark L. Golden, Human Services Program Consultant, Department of Social Services, 730 E. Broad St., Richmond, VA 23219, telephone (804) 692-1730.

VA.R. Doc. Nos. R00-108 through R00-135, R00-137 and R00-138, Filed February 4, 2000, 9:07 a.m.

---

# FINAL REGULATIONS

---

For information concerning Final Regulations, see Information Page.

---

## Symbol Key

Roman type indicates existing text of regulations. *Italic type* indicates new text. Language which has been stricken indicates text to be deleted. [Bracketed language] indicates a change from the proposed text of the regulation.

---

## TITLE 18. PROFESSIONAL AND OCCUPATIONAL LICENSING

### BOARD OF MEDICINE

Title of Regulation: **18 VAC 85-20-10 et seq. Regulations Governing the Practice of Medicine, Osteopathy, Podiatry, Chiropractic and Physician Acupuncture (amending 18 VAC 85-20-22 [ and 18 VAC 85-20-240 ]).**

**18 VAC 85-31-10 et seq. Regulations Governing the Practice of Physical Therapy (amending 18 VAC 85-31-160).**

**18 VAC 85-40-10 et seq. Regulations Governing the Practice of Respiratory Care Practitioners (amending 18 VAC 85-40-80).**

**18 VAC 85-50-10 et seq. Regulations Governing the Practice of Physician Assistants (amending 18 VAC 85-50-170).**

**18 VAC 85-80-10 et seq. Regulations Governing the Practice of Occupational Therapists (amending 18 VAC 85-80-120).**

**18 VAC 85-101-10 et seq. Regulations Governing the Practice of Radiologic Technologist Practitioners and Radiologic Technologists-Limited (amending 18 VAC 85-101-160).**

**18 VAC 85-110-10 et seq. Regulations Governing the Practice of Licensed Acupuncturists (amending 18 VAC 85-110-35).**

Statutory Authority: §§ 54.1-113 and 54.1-2400 of the Code of Virginia.

Effective Date: April 12, 2000.

#### Summary:

*The amendments revise the schedule of fees paid by physicians and other medical professionals to the Board of Medicine. These fee changes bring the board into compliance with the board's interpretation of § 54.1-113 of the Code of Virginia, which requires all regulatory boards under the Department of Health Professions to revise their fee schedules if, after the close of any biennium, there is more than a 10% difference between revenues and expenditures.*

*Substantive changes made since the publication of the proposed amendments follow:*

1. *Because the proposed fee increases were not finalized by the projected January 2000 date, an additional fee increase of approximately \$20/biennium from that originally proposed for doctors of medicine,*

*osteopathy, podiatry and chiropractic was adopted. Also, an amendment was adopted to clarify that in reactivating an inactive license, the licensee must pay the difference between the current active and inactive fees.*

2. *The board added a fee for renewal of an inactive license. An inactive renewal fee is set at half the cost of an active renewal fee.*

Summary of Public Comments and Agency's Response: A summary of comments made by the public and the agency's response may be obtained from the promulgating agency or viewed at the office of the Registrar of Regulations.

Agency Contact: William L. Harp, M.D., Executive Director, Board of Medicine, 6606 West Broad Street, 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9908.

#### **18 VAC 85-20-22. Required fees.**

A. Unless otherwise provided, fees established by the board shall not be refundable.

B. All examination fees shall be determined by and made payable as designated by the board.

C. The application fee for licensure in medicine, osteopathy, *and podiatry, or chiropractic* shall be ~~\$200~~ [ ~~\$215~~ \$225 ], *and the fee for licensure in chiropractic shall be* [ ~~\$195~~ \$200 ]. The fee for board approval to sit for Part 3 of the United States Medical Licensing Examination without subsequent licensure in Virginia shall be ~~\$450~~ \$85.

D. The fee for a temporary permit to practice medicine pursuant to § 54.1-2927 B (i) and (ii) of the Code of Virginia shall be ~~\$25~~ \$30.

E. The *application* fee for a limited professorial or fellow license issued pursuant to 18 VAC 85-20-210 shall be ~~\$125~~ \$55. The annual renewal fee shall be ~~\$25~~ \$35. *An additional fee for late renewal of licensure shall be \$15.*

F. The *application* fee for a limited license to interns and residents pursuant to 18 VAC 85-20-220 shall be ~~\$40~~ \$55. *The annual renewal fee shall be \$35 a year. An additional fee for late renewal of licensure shall be \$40 \$15.*

G. The fee for a duplicate wall certificate shall be ~~\$25~~ \$15; the fee for a duplicate license shall be ~~\$40~~ \$5.

H. The fee for biennial renewal of ~~license~~ shall be ~~\$125~~, [ ~~\$240~~ \$260 ] for licensure in medicine, osteopathy and podiatry and [ ~~\$245~~ \$235 ] for licensure in chiropractic, due in the licensee's birth month. An additional [ ~~late~~ ] fee ~~shall be \$25 for each for processing a late renewal application within one renewal cycle shall be~~ [ ~~\$85~~ \$90 ] for licensure in medicine, osteopathy and podiatry and [ ~~\$75~~ \$80 ] for licensure in chiropractic.

I. The fee for requesting reinstatement of licensure pursuant to § 54.1-2921 of the Code of Virginia shall be ~~\$750~~ \$2,000.

J. The application fee for licensure to practice acupuncture shall be ~~\$100~~ \$55. The biennial renewal fee shall be ~~\$50~~ \$70, due and payable by June 30 of each even-numbered year.

K. The fee for reinstatement of a license issued by the Board of Medicine pursuant to § 54.1-2904 of the Code of Virginia which has expired for a period of two years or more shall be ~~\$250~~ [ ~~\$290~~ \$305 ] for licensure in medicine, osteopathy and podiatry and [ ~~\$280~~ \$290 ] for licensure in chiropractic ] and shall be submitted with an application for licensure reinstatement.

L. The fee for a letter of good standing/verification to another jurisdiction for a license shall be \$10.

M. The fee for certification of grades to another jurisdiction by the board shall be \$25. The fee shall be due and payable upon submitting the form to the board.

N. The fee for biennial renewal of an inactive license shall be [ ~~\$100~~ \$130 ], due in the licensee's birth month. An additional fee for late renewal of licensure shall be [ ~~\$25~~ \$45 ] for each renewal cycle.

[ ~~A. O.~~ ] The fee for a returned check shall be \$25.

## [ 18 VAC 85-20-240. Reinstatement of an inactive or lapsed license.

A. A practitioner whose license has been lapsed for two successive years or more and who requests reinstatement of licensure shall:

1. File a completed application for reinstatement;
2. Pay the reinstatement fee prescribed in 18 VAC 85-20-22; and
3. Provide documentation of having completed continued competency hours equal to the requirement for the number of years, not to exceed four years, in which the license has been lapsed.

B. An inactive licensee may reactivate his license upon submission of the required application, payment of the difference between the current renewal fee of ~~\$125~~ for inactive licensure and the current renewal fee for active licensure, and documentation of having completed continued competency hours equal to the requirement for the number of years, not to exceed four years, in which the license has been inactive.

C. If a practitioner has not engaged in active practice in his profession for more than four years and wishes to reinstate or reactivate his license, he shall take and pass one of the following as applicable to his practice:

1. The Special Purpose Examination (SPEX) given by the Federation of State Medical Boards.
2. The Comprehensive Osteopathic Medical Variable Purpose Examination - USA (COMVEX-USA) given by the National Board of Osteopathic Examiners.

3. The Special Purposes Examination for Chiropractic (SPEC) given by the National Board of Chiropractic Examiners.

4. A special purpose examination or other evidence of continuing competency to practice podiatric medicine as acceptable to the board.

D. The board reserves the right to deny a request for reactivation to any licensee who has been determined to have committed an act in violation of § 54.1-2915 of the Code of Virginia or any provisions of this chapter. ]

**NOTICE:** The forms used in administering 18 VAC 85-20-10 et seq., Regulations Governing the Practice of Medicine, Osteopathy, Podiatry, Chiropractic and Physician Acupuncture, are not being published due to the large number; however, the name of each form is listed below. The forms are available for public inspection at the Board of Medicine, 6606 W. Broad Street, 4th Floor, Richmond, Virginia, or at the office of the Registrar of Regulations, General Assembly Building, 9th and Broad Streets, 2nd Floor, Richmond, Virginia.

## FORMS

Information & Instructions for Completing an Application for the [ Computer Based ] United States Medical Licensing Examination (USLME) - [ ~~American & Canadian Graduates Approved Schools~~ ] With Subsequent Virginia Licensure (rev. [ ~~8/99~~ 4/00 ]).

Information & Instructions for Completing an Application for the [ Computer Based ] United States Medical Licensing Examination (USLME) - [ ~~Non-American Graduates Nonapproved Schools~~ ] With Subsequent Virginia Licensure (rev. [ ~~8/99~~ 4/00 ]).

Information & Instructions for Completing an Application for the [ Computer Based ] United States Medical Licensing Examination (USLME) - [ ~~American & Canadian Graduates Approved Schools~~ ] Without Subsequent Virginia Licensure (rev. [ ~~8/99~~ 4/00 ]).

Information & Instructions for Completing an Application for the [ Computer Based ] United States Medical Licensing Examination (USLME) - [ ~~Non-American Graduates Nonapproved Schools~~ ] Without Subsequent Virginia Licensure (rev. [ ~~8/99~~ 4/00 ]).

Application for USMLE Step 3 With Subsequent Virginia Licensure (rev. 8/98).

Application USMLE Step 3 Without Subsequent Virginia Licensure (rev. 8/98).

Instructions for Completing National Boards/FLEX or USMLE Endorsement Application; American Graduates--revised May, 1997 (rev. [ ~~8/99~~ 4/00 ]).

Instructions for Completing FLEX or USMLE Endorsement Application; Non-American Graduates--revised June, 1997 (rev. [ ~~8/99~~ 4/00 ]).

Instructions for Completing PMLEXIS Examination/License Application--revised May, 1997 (rev. [ ~~8/99~~ 4/00 ]).

---

# Final Regulations

---

Instructions for Completing Chiropractic Endorsement Application—~~revised May, 1997~~ (rev. [ ~~8/99~~ 4/00 ]).

Instructions for Completing Podiatry Endorsement application—~~revised May, 1997~~ (rev. [ ~~8/99~~ 4/00 ]).

Instructions for Completing LMCC Endorsement Application; Canadian/American Graduates—~~revised May, 1997~~ (rev. [ ~~8/99~~ 4/00 ]).

Instructions for Completing LMCC Endorsement Application; Non-American Graduates—~~revised June, 1997~~ (rev. [ ~~8/99~~ 4/00 ]).

Instructions for Completing National Boards Endorsement Application—~~revised May, 1997~~.

Instructions for Completing Osteopathic National Boards Endorsement Application—~~revised May, 1997~~ (rev. [ ~~8/99~~ 4/00 ]).

Instructions for Completing Other Boards Endorsement Application; American Graduates—~~revised May, 1997~~ (rev. [ ~~8/99~~ 4/00 ]).

Instructions for Completing Other Boards Endorsement Application; Non-American Graduates—~~revised June, 1997~~ (rev. [ ~~8/99~~ 4/00 ]).

Form #A, Claims History Sheet—~~revised June, 1997~~ (rev. 6/97).

Form #B, Activity Questionnaire—~~revised June, 1997~~ (rev. 6/97).

Form #C, Clearance from Other State Boards—~~revised June, 1997~~ (rev. 6/97).

Form #D, Virginia Request for Physician Profile—~~revised June, 1997~~ (rev. 6/97).

Application for a License to Practice Medicine/Osteopathy—~~revised May, 1997~~ (rev. 5/97).

Form #H, Certification of Grades Attained on the Podiatric Medical Licensing Examination for States (PMLEXIS)—~~revised June, 1997~~ (rev. 6/97).

Form #I, National Board of Podiatric Medical Examiners Request for Scores on Part I and II—~~revised June, 1997~~ (rev. 6/97).

Form HRB-30-061, Requirements and Instructions for an Intern/Resident License—~~revised July, 1997~~ (rev. 8/99).

Intern/Resident Form #A, Memorandum from Associate Dean of Graduate Medical Education—~~revised July, 1997~~ (rev. 8/99).

Intern/Resident Form #B, Certificate of Professional Education—~~revised July, 1997~~ (rev. 8/99).

Instructions for Completing an Application for a Limited License to Practice Medicine as a Full-time Faculty Member or as a Full-time Fellow—~~revised January, 1998~~ (rev. 8/99).

Form DHP-030-056, Application for a Limited License to Practice Medicine as a Full-time Faculty Member or as a Full-time Fellow—~~revised January, 1998~~ (rev. 1/98).

Form #G--Request for Status Report of Educational Commission for Foreign Medical Graduates Certification—~~revised October, 1997~~ (rev. 10/97).

Instructions for Licensure to Practice as a Physician Acupuncturist—~~revised March, 1997~~ (rev. 8/99).

Application for a License to Practice Acupuncture—~~revised July, 1997~~ (rev. 7/97).

*Instructions for Reinstatement of Medicine and Surgery or Osteopathy Licensure Application* (rev. [ ~~8/99~~ 4/00 ]).

*Instructions for Completing Reinstatement of Chiropractic Licensure Application* (rev. [ ~~8/99~~ 4/00 ]).

*Instructions for Reinstatement of Podiatry Licensure Application* (rev. [ ~~8/99~~ 4/00 ]).

*Instructions for Medicine and Surgery or Osteopathy Licensure Application After Reinstatement Denied or License Revoked* (rev. 8/99).

*Application for Reinstatement of License to Practice Medicine/Osteopathy After Petition for Reinstatement Denied or License Revoked* (rev. 8/99).

*American Medical Association, Physician Profile Service Order Form for Licensure Application or Renewal* (rev. 8/99).

*Reinstatement, State Questionnaire Form* (rev. 7/98).

*Reinstatement, Activity Questionnaire Form* (rev. 7/98).

*Reinstatement, Disciplinary Inquiries to Federation of State Medical Boards* (rev. 7/98).

*Renewal Notice and Application*—~~revised July, 1997~~ (rev. [ ~~7/97~~ 2/00 ]).

## 18 VAC 85-31-160. Fees.

A. Unless otherwise provided, fees listed in this section shall not be refundable.

B. Licensure by examination.

1. The application fee *shall be \$140 for a physical therapist or and \$105 for a physical therapist assistant* ~~shall be \$100~~.

2. The fees for taking all required examinations shall be paid directly to the examination services.

C. Licensure by endorsement. The fee for licensure by endorsement *shall be \$140 for a physical therapist or and \$105 for a physical therapist assistant* ~~shall be \$125~~.

D. Licensure renewal and reinstatement.

1. The fee for *active* license renewal for a physical therapist shall be ~~\$100~~ \$135 and for a physical therapist assistant shall be \$70 and shall be due in the licensee's birth month in each even-numbered year.

2. A fee of \$25 for a *physical therapist assistant and \$50 for a physical therapist* for processing a late renewal *within one renewal cycle* shall be paid in addition to the renewal fee.

3. The fee for reinstatement of a ~~physical therapist or a physical therapist assistant~~ license which has expired for ~~four~~ two or more years shall be ~~\$225~~ \$180 for a physical therapist and \$120 for a physical therapist assistant and shall be submitted with an application for licensure reinstatement.

## E. Other fees.

1. The fee for reinstatement of a license pursuant to § 54.1-2921 of the Code of Virginia shall be \$2,000.
2. The fee for a duplicate license shall be \$5, and the fee for a duplicate wall certificate shall be \$15.
3. The fee for a returned check shall be \$25.
4. The fee for a letter of good standing/verification to another jurisdiction shall be \$10; the fee for certification of grades to another jurisdiction shall be \$25.

**NOTICE:** The forms used in administering 18 VAC 85-31-10 et seq., Regulations Governing the Practice of Physical Therapy, are not being published due to the large number; however, the name of each form is listed below. The forms are available for public inspection at the Board of Medicine, 6606 W. Broad Street, 4th Floor, Richmond, Virginia, or at the office of the Registrar of Regulations, General Assembly Building, 9th and Broad Streets, 2nd Floor, Richmond, Virginia.

## FORMS

Application for a License to Practice Physical Therapy (rev. 5/97).

Instructions for Licensure by ~~Examination~~ Endorsement to Practice as a Physical Therapist or Physical Therapist Assistant (Graduate of an ~~American~~ Approved Program) [ ~~Form DHP-30-059~~ ] (rev. 8/99).

Instructions for Licensure by ~~Examination~~ Endorsement to Practice as a Physical Therapist or Physical Therapist Assistant (Graduate of a ~~Non-American~~ Approved Program) [ ~~Form DHP-30-059~~ ] (rev. 8/99).

Instructions for Licensure by Examination to Practice as a Physical Therapist or Physical Therapist Assistant (Graduate of an Approved Program) [ ~~Form DHP-30-059~~ ] (rev. 8/99).

Instructions for Licensure by Examination to Practice as a Physical Therapist or Physical Therapist Assistant (Graduate of a Non-Approved Program) [ ~~Form DHP-30-059~~ ] (rev. 8/99).

Quiz on the Virginia Code and Regulations.

The Interstate Reporting Services, National Physical Therapy Examination (PT/PTA), Score Registration and Transfer Request Application.

Traineeship Application (4/96).

Foreign Trained Approved Traineeship Facilities (8/94).

Verification of Physical Therapy Practice (7/93).

Verification of State Licensure (4/96).

Licensure Registration (4/96).

Renewal Notice and Application ( [ ~~5/97~~ rev. 2/00 ] ).

## 18 VAC 85-40-80. Fees.

The following fees are required:

1. The application fee, payable at the time the application is filed, shall be ~~\$400~~ \$130.
2. The biennial fee for renewal of [ *active* ] licensure shall be ~~\$50~~ \$135 [ *and for renewal of inactive licensure shall be \$70* ], payable in each odd-numbered year in the license holder's birth month.
3. ~~An additional fee to cover administrative costs for processing a late application may be imposed by the board.~~ The additional fee for late renewal of licensure within one renewal cycle shall be ~~\$25 for each renewal cycle~~ \$50.
4. ~~Lapsed license.~~ The fee for reinstatement of a license issued by the Board of Medicine pursuant to § 54.1-2904 of the Code of Virginia, which has ~~expired~~ lapsed for a period of two years or more, shall be ~~\$400~~ \$180 and must be submitted with an application for licensure reinstatement.
5. The fee for reinstatement of a [ ~~revoked~~ ] license pursuant to § 54.1-2921 of the Code of Virginia shall be ~~\$500~~ \$2,000.
6. The fee for a duplicate license shall be ~~\$40~~ \$5, and the fee for a duplicate wall certificate shall be ~~\$25~~ \$15.
7. The fee for a returned check shall be \$25.
8. The fee for a letter of good standing/verification to another jurisdiction shall be \$10; the fee for certification of grades to another jurisdiction shall be \$25.

**NOTICE:** The forms used in administering 18 VAC 85-40-10 et seq., Regulations Governing the Practice of Respiratory Care Practitioners, are not being published due to the large number; however, the name of each form is listed below. The forms are available for public inspection at the Board of Medicine, 6606 W. Broad Street, 4th Floor, Richmond, Virginia, or at the office of the Registrar of Regulations, General Assembly Building, 9th and Broad Streets, 2nd Floor, Richmond, Virginia.

## FORMS

Instructions for Completing a Respiratory Care Practitioner Application (rev. [ ~~2/99~~ 8/99 ] ).

Application for a License to Practice as a Respiratory Care Practitioner (rev. 2/99).

Instructions for Completing Reinstatement of Respiratory Therapy License (eff. 8/99).

Application for Reinstatement as a Respiratory Care Practitioner (eff. 7/98).

Form #A, Claims History Sheet (rev. 7/98).

Form #B, Activity Questionnaire (rev. 7/98).

---

# Final Regulations

---

Form #C, Clearance from Other State Boards (rev. 7/98).

Form #L, Certificate of Professional Education (rev. 2/99).

Verification of Certification Request Form (NBRTC) (rev. 7/98).

Renewal Notice and Application (rev. [ ~~7/97~~ 2/00 ]).

## 18 VAC 85-50-170. Fees.

A. The initial application fee for a license, payable at the time application is filed, shall be ~~\$400~~ \$130.

B. The biennial fee for renewal of [ ~~a~~ *an active* ] license shall be ~~\$80~~ \$135 [ ~~and for renewal of an inactive license shall be \$70~~ ] payable in each odd-numbered year in the birth month of the licensee.

C. ~~An additional fee to cover administrative costs for processing a late application may be imposed by the board.~~ The additional fee for late renewal of licensure *within one renewal cycle* shall be ~~\$10 for each renewal cycle~~ \$50.

D. A restricted volunteer license shall expire 12 months from the date of issuance and may be renewed without charge by receipt of a renewal application which verifies that the physician assistant continues to comply with the provisions of § 54.1-2951.3 of the Code of Virginia.

E. *The fee for review and approval of a new protocol submitted following initial licensure shall be \$15.*

F. *The fee for reinstatement of a license pursuant to § 54.1-2921 of the Code of Virginia shall be \$2,000.*

G. *The fee for a duplicate license shall be \$5, and the fee for a duplicate wall certificate shall be \$15.*

H. *The fee for a returned check shall be \$25.*

I. *The fee for a letter of good standing/verification to another jurisdiction shall be \$10.*

**NOTICE:** The forms used in administering 18 VAC 85-50-10 et seq., Regulations Governing the Practice of Physician Assistants, are not being published due to the large number; however, the name of each form is listed below. The forms are available for public inspection at the Board of Medicine, 6606 W. Broad Street, 4th Floor, Richmond, Virginia, or at the office of the Registrar of Regulations, General Assembly Building, 9th and Broad Streets, 2nd Floor, Richmond, Virginia.

## FORMS

Instructions for Completing a Physician Assistant Licensure Application (rev. ~~7/98~~ 8/99).

Application for a License to Practice as a Physician Assistant (rev. 7/98).

Form #B, Activity Questionnaire (rev. 7/98).

Form #C, Clearance from Other State Boards (rev. 7/98).

Form #2, Physician Assistant Invasive Procedures Protocol, (rev. 7/98).

Renewal Notice and Application (rev. [ ~~7/97~~ 2/00 ]).

Protocol for Employment as a Physician Assistant (rev. 7/98).

## 18 VAC 85-80-120. Fees.

The following fees have been established by the board:

1. The initial fee for the occupational therapist licensure shall be ~~\$400~~ \$130.

2. The fee for reinstatement of the occupational therapist licensure *which has been lapsed for two years or more* shall be ~~\$450~~ \$180.

3. The fee for [ *active* ] licensure renewal shall be ~~\$85~~ \$135 [ ~~and for inactive licensure renewal shall be \$70~~ ] and shall be due in the birth month of the licensed therapist in each even-numbered year.

4. The additional fee ~~to cover administrative costs~~ for processing a late *renewal* application shall be ~~\$25 for each within one renewal cycle~~ \$50.

5. The fee for a letter of good standing/ or verification to another state for a license shall be \$10.

6. The fee for reinstatement of ~~revoked~~ licensure *pursuant to § 54.1-2921 of the Code of Virginia* shall be ~~\$500~~ \$2,000.

7. *The fee for a returned check shall be \$25.*

8. *The fee for a duplicate license shall be \$5; and the fee for a duplicate wall certificate shall be \$15.*

**NOTICE:** The forms used in administering 18 VAC 85-101-10 et seq., Regulations Governing the Practice of Occupational Therapists, are not being published due to the large number; however, the name of each form is listed below. The forms are available for public inspection at the Board of Medicine, 6606 W. Broad Street, 4th Floor, Richmond, Virginia, or at the office of the Registrar of Regulations, General Assembly Building, 9th and Broad Streets, 2nd Floor, Richmond, Virginia.

## FORMS

Instructions for Completing an Occupational Therapist Application (rev. ~~7/98~~ 8/99).

Application for a License to Practice Occupational Therapy (rev. ~~7/98~~ 2/99).

Form #A, Claims History Sheet (rev. 7/98).

Form #B, Activity Questionnaire (rev. 7/98).

Form #C, Clearance from Other State Boards (rev. 7/98).

Verification of Certification Request Form (NBCOT) (rev. 3/98).

*Instructions for Completing Reinstatement of Licensure Application for Occupational Therapy* (rev. 8/99).

*Instruction for Supervised Practice, Occupational Therapy* (rev. 8/99).

*Supervised Practice Application, Occupational Therapy* (rev. 8/99).

Report of Supervised Practice (rev. 8/99).

Renewal Notice and Application (rev. [ ~~7/97~~ 2/00 ]).

## 18 VAC 85-101-160. Fees required by the board.

A. Unless otherwise provided, fees listed in this section shall not be refundable.

### B. Initial licensure fees.

1. The application fee for radiologic technologist licensure shall be ~~\$100~~ \$130.
2. The application fee for the radiologic technologist-limited licensure shall be ~~\$50~~ \$90.
3. All examination fees shall be determined by and made payable as designated by the board.

### C. Licensure renewal and reinstatement.

1. The fee for [ *active* ] license renewal for a radiologic technologist shall be ~~\$75~~ \$135 and for a radiologic technologist-limited shall be ~~\$25~~ \$70. [ *The fee for inactive license renewal for a radiologic technologist shall be \$70 and for a radiologic technologist-limited shall be \$35.* ]
2. An additional fee of ~~\$25~~ \$50 for a radiologic technologist and \$25 for a radiologic technologist-limited to cover administrative costs for processing a late renewal application *within one renewal cycle* shall be imposed by the board.
3. The fee for reinstatement of a ~~lapsed~~ *expired* license which has ~~expired~~ lapsed for a period of two years or more shall be ~~\$50 and the respective licensure fee~~ \$180 for a radiologic technologist and \$120 for a radiologic technologist-limited and shall be submitted with an application for licensure reinstatement.
4. The fee for reinstatement of a ~~revoked~~ license pursuant to § 54.1-2921 of the Code of Virginia shall be ~~\$500~~ \$2,000.

### D. Other fees.

1. The application fee for a traineeship shall be \$25.
2. The fee for a letter of good standing or verification to another state for licensure shall be \$10 ; *the fee for certification of grades to another jurisdiction shall be \$25.*
3. *The fee for a returned check shall be \$25.*
4. *The fee for a duplicate license shall be \$5, and the fee for a duplicate wall certificate shall be \$15.*

[ ~~5. The fee for reinstatement of a license pursuant to § 54.1-2921 of the Code of Virginia shall be \$2,000.~~ ]

**NOTICE:** The forms used in administering 18 VAC 85-101-10 et seq., Regulations Governing the Practice of Radiologic Technologist Practitioners and Radiologic Technologists-Limited, are not being published due to the large number; however, the name of each form is listed below. The forms are available for public inspection at the Board of Medicine, 6606 W. Broad Street, 4th Floor, Richmond, Virginia, or at the

office of the Registrar of Regulations, General Assembly Building, 9th and Broad Streets, 2nd Floor, Richmond, Virginia.

## FORMS

Instructions for Completing an Application for Licensure as a Radiologic Technologist By Examination/Endorsement (rev. [ ~~5/99~~ 8/99 ]).

Application for a License as a Radiologic Technologist (rev. 11/98).

Form #A, Claims History Sheet (rev. 7/97).

Form #B, Activity Questionnaire (rev. 7/97).

Form #C, Clearance from Other States (rev. 7/97).

Form #E, Letter of Good Standing (rev. 7/97).

Form #F, Traineeship Application (rev. 7/97).

Instructions for Completing an Application for Licensure as a Radiologic Technologist-Limited (rev. [ ~~5/99~~ 8/99 ]).

Application for a License as a Radiologic Technologist-Limited (rev. 2/99).

Form #2, Radiologic Technologist-Limited Training Application (rev. 5/99).

[ *Instructions for Completing Reinstatement of Radiologic Technology Licensure* (rev. 8/99).

*Instructions for Completing Reinstatement of Radiologic Technologist-Limited Licensure* (rev. 8/99). ]

Renewal Notice and Application [ ~~C-47533~~ ] (rev. [ ~~7/97~~ 2/00 ] ).

## 18 VAC 85-110-35. Fees.

Unless otherwise provided, the following fees shall not be refundable:

1. The application fee for a license to practice as an acupuncturist shall be ~~\$150~~ \$130.
2. The fee for biennial [ *active* ] license renewal shall be ~~\$85~~ \$135 [ ; *the fee for biennial inactive license renewal shall be \$70.* ]
3. The additional fee for processing a late renewal *within one renewal cycle* shall be ~~\$25~~ \$50.
4. The fee for reinstatement of a license which has expired for two or more years shall be ~~\$200~~ \$180.
5. The fee for a letter of good standing/verification of a license to another ~~state~~ *jurisdiction* shall be \$10.
6. The fee for reinstatement of a ~~revoked~~ license pursuant to § 54.1-2921 of the Code of Virginia shall be ~~\$500~~ \$2,000.
7. The fee for a duplicate wall certificate shall be ~~\$25~~ \$15.
8. The fee for a duplicate renewal license shall be ~~\$40~~ \$5.

---

# Final Regulations

---

9. The fee for a returned check shall be \$25.

**NOTICE:** The forms used in administering 18 VAC 85-110-10 et seq., Regulations Governing the Practice of Licensed Acupuncturists, are not being published due to the large number; however, the name of each form is listed below. The forms are available for public inspection at the Board of Medicine, 6606 W. Broad Street, 4th Floor, Richmond, Virginia, or at the office of the Registrar of Regulations, General Assembly Building, 9th and Broad Streets, 2nd Floor, Richmond, Virginia.

## FORMS

Instructions for Completing the Application for Licensed Acupuncturist, American Graduates (rev. 4/98 8/99).

Instructions for Completing the Application for Licensed Acupuncturist, Non-American Graduates (rev. 4/98 8/99).

Application for a License to Practice as an Acupuncturist (rev. 7/98).

Form #A, Claims History Sheet (rev. 1/98).

Form #B, Activity Questionnaire (rev. 1/98).

Form #C, Clearance from Other State Boards (rev. 1/98).

Verification of NCCAOM Certification (rev. 7/98).

Renewal Notice and Application (rev. [ 7/97 2/00 ] ).

VA.R. Doc. Nos. R99-130 through R99-136; Filed February 17, 2000,  
11:56 a.m.

\* \* \* \* \*

**Title of Regulation:** 18 VAC 85-31-10 et seq. Regulations Governing the Practice of Physical Therapy (amending 18 VAC 85-31-10, 18 VAC 85-31-40, 18 VAC 85-31-50, 18 VAC 85-31-60, 18 VAC 85-31-80, 18 VAC 85-31-90, 18 VAC 85-31-100, 18 VAC 85-31-120, 18 VAC 85-31-130, and 18 VAC 85-31-140; adding 18 VAC 85-31-25, 18 VAC 85-31-65, and 18 VAC 85-31-135).

**Statutory Authority:** § 54.1-2400 and Chapter 29 (§ 54.1-2900 et seq.) of the Code of Virginia.

**Effective Date:** April 13, 2000.

### Summary:

Amendments are adopted pursuant to a biennial review of regulations as required by the Public Participation Guidelines of the Board of Medicine and by Executive Order 25(98). As a result of its review, the board adopted amendments to clarify the use of unlicensed persons in the practice of physical therapy, to require proof of English proficiency for graduates of schools located outside the United States or Canada, to require graduates of nonapproved schools to provide documentation of certification by the Foreign Credentialing Commission on Physical Therapy, to establish the passing score for the examination, and to clarify certain requirements for practice and supervision of physical therapy assistants. In addition, the

amendments establish an inactive licensure status and requirements for renewal or reinstatement of licensure.

**Summary of Public Comments and Agency's Response:** No public comments were received by the promulgating agency.

**Agency Contact:** Copies of the regulation may be obtained from William L. Harp, M.D., Executive Director, Board of Medicine, 6606 West Broad Street, 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9908.

## 18 VAC 85-31-10. Definitions.

The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise:

"Advisory board" means the Advisory Board on Physical Therapy.

"Approved program" means an educational program accredited by the Commission on Accreditation in Physical Therapy Education of the American Physical Therapy Association.

"Board" means the Virginia Board of Medicine.

"CLEP" means the College Level Examination Program.

"Direct supervision" means a physical therapist is present and is fully responsible for the activities performed by the nonlicensed physical therapy personnel.

"Evaluation" means the carrying out by a physical therapist of the sequential process of assessing a patient, planning the patient's physical therapy treatment program, and [ recording ] appropriate documentation.

"FCCPT" means the Foreign Credentialing Commission on Physical Therapy.

"General supervision" means a physical therapist shall be available for consultation.

"Nonlicensed personnel" means any individual not licensed or certified by a health regulatory board within the Department of Health Professions who is performing patient care functions at the direction of a physical therapist or physical therapist assistant within the scope of this chapter.

"Physical therapist" means a person qualified by education and training to administer a physical therapy program under the direction of a licensed doctor of medicine, osteopathy, chiropractic, podiatry, or dental surgery.

"Physical therapist assistant" means a person qualified by education and training to perform physical therapy functions under the supervision of and as directed by a physical therapist.

~~"Physical therapy aide" means any nonlicensed personnel performing patient care functions at the direction of a physical therapist or physical therapist assistant within the scope of this chapter.~~

"Referral and direction" means the referral of a patient by a licensed doctor of medicine, osteopathy, chiropractic, podiatry, or dental surgery to a physical therapist for a specific purpose and for consequent treatment that will be performed



under the direction of and in continuing communication with the referring doctor.

"TOEFL" means the Test of English as a Foreign Language.

"Trainee" means a person undergoing a traineeship.

1. "Foreign educated trainee" means a physical therapist or physical therapist assistant who graduated from a school not approved by an accrediting agency recognized by the board [ ] and who is seeking licensure to practice in Virginia.

2. "Inactive practice trainee" means a physical therapist or physical therapist assistant who has previously been licensed and has ~~been inactive for~~ not practiced for at least 320 hours within the past four years ~~or more~~ and who is seeking licensure or relicensure in Virginia.

3. "Unlicensed graduate trainee" means a graduate of an approved physical therapist or physical therapist assistant program who has not taken the state licensure examination or who has taken the examination but not yet received a license from the board.

"Traineeship" means a period of full-time activity during which an unlicensed physical therapist or physical therapist assistant works under the direct supervision of a physical therapist approved by the board.

## **18 VAC 85-31-25. Current name and address.**

Each licensee shall furnish the board his current name and address. All notices required by law or by this chapter to be given by the board to any licensee shall be validly given when mailed to the latest address provided or when served to the licensee. Any change of name or address shall be furnished to the board within 30 days of such change.

## **18 VAC 85-31-40. Education requirements: graduates of approved programs.**

A. An applicant for licensure who is a graduate of a ~~an approved program approved by an accrediting agency recognized by the board~~ shall submit with the required application and fee documented evidence of his graduation from such a program.

B. If an applicant is a graduate of an approved program located outside of the United States or Canada, he shall provide proof of proficiency in the English language by passing with a grade of not less than 560 on the TOEFL, or an equivalent examination approved by the board. TOEFL may be waived upon evidence of English proficiency.

## **18 VAC 85-31-50. Education requirements: graduates of schools not approved by an accrediting agency recognized by the board.**

A. An applicant for licensure as a physical therapist who is a graduate of a school not approved by an accrediting agency recognized by the board shall submit the required application and fee and provide documentation of the physical therapist's certification by the FCCPT.

B. An applicant for licensure as a physical therapy assistant who is a graduate of a school not approved by the board shall submit with the required application and fee:

1. Proof of proficiency in the English language by passing with a grade of not less than 560 on the TOEFL [ ] or an equivalent examination approved by the board. TOEFL may be waived upon evidence of English proficiency.

2. A photostatic copy of the original certificate or diploma verifying his graduation from a physical therapy curriculum which has been certified as a true copy of the original by a notary public.

If the certificate or diploma is not in the English language, submit either:

a. An English translation of such certificate or diploma by a qualified translator other than the applicant; or

b. An official certification in English from the school attesting to the applicant's attendance and graduation date.

3. Verification of the equivalency of the applicant's education ~~to the following standards~~ from a scholastic credentials service approved by the advisory board: ~~of at least 65 semester hours to include:~~

~~a. The minimum educational requirements for licensure as a physical therapist shall be 120 semester hours as follows:~~

~~(1) General education requirements. A minimum of 40 semester hours is required with credits in each of the following: humanities, social sciences, natural sciences, physical sciences, and electives.~~

~~(2) Professional education requirements. A minimum of 60 semester hours is required with credits in each of the following: basic health sciences, clinical sciences, and clinical education.~~

~~(3) CLEP semester hours or credits shall be accepted for general education hours only.~~

~~b. The minimum educational requirements for licensure as a physical therapist assistant shall be 65 semester hours as follows:~~

~~(4) a. General education requirements. A minimum of 20 semester hours is required with credits in each of the following: humanities, social sciences, natural sciences, physical sciences, and electives.~~

~~(2) b. Professional educational requirements. A minimum of 45 semester hours is required with credits in each of the following: basic health sciences, clinical sciences, and clinical education.~~

~~(3) c. CLEP semester hours or credits shall be accepted for general education hours only.~~

4. C. An applicant for licensure as a physical therapist or a physical therapy assistant shall also submit verification of having successfully completed a full-time 1,000-hour traineeship as a "foreign educated trainee" under the direct

---

# Final Regulations

---

supervision of a licensed physical therapist. The traineeship shall be in a facility that serves as an education facility for students enrolled in an accredited program educating physical therapists in Virginia and is approved by the advisory board.

~~a-~~ 1. It shall be the responsibility of the foreign educated trainee to make the necessary arrangements for his training with the director of physical therapy or the director's designee at the facility selected by the trainee.

~~b-~~ 2. The physical therapist supervising the foreign educated trainee shall submit a progress report to the board at the end of the 1,000 hours. This report shall be submitted on forms supplied by the advisory board.

~~c-~~ 3. If the traineeship is not successfully completed at the end of 1,000 hours as determined by the supervising physical therapist, the chairman of the advisory board or his designee shall determine if a new traineeship shall commence. If the chairman of the advisory board determines that a new traineeship shall not commence, then the application for licensure shall be denied.

~~d-~~ 4. The second traineeship may be served under a different supervising physical therapist and may be served in a different organization than the initial traineeship. If the second traineeship is not successfully completed, as determined by the supervising physical therapist, then the application for licensure shall be denied.

~~e-~~ 5. The traineeship requirements of this part may be waived if the applicant for a license can verify, in writing, the successful completion of one year of clinical physical therapy practice as a licensed physical therapist or physical therapist assistant in the United States, its territories, the District of Columbia, or Canada, equivalent to the requirements of this chapter.

## **18 VAC 85-31-60. Examination Application requirements.**

~~A-~~ Every applicant for initial board licensure by examination shall *submit*.

1. ~~Meet~~ *Documentation of having met* the educational requirements specified in 18 VAC 85-31-40 or 18 VAC 85-31-50; ~~and~~

2. ~~Submit~~ The required application and credentials to the board ~~not less than 35 days prior to the date of examination or traineeship;~~ *and*

3. *Documentation of passage of the national examination as prescribed by the board.*

~~B-~~ Every applicant shall take the examination prescribed by the board.

## **18 VAC 85-31-65. Requirements for the examination.**

~~C-~~ A. The minimum passing ~~scores~~ score shall be a scale score of 600 or as established by the advisory board.

~~D-~~ B. An applicant who fails the examination after six attempts shall be denied licensure.

~~E-~~ C. A person not taking the licensure examination within four years after graduation shall successfully complete a

full-time 480-hour traineeship ~~before taking the licensure examination.~~

## **18 VAC 85-31-80. Endorsement requirements.**

A. A physical therapist or physical therapist assistant who has been licensed in the United States, its territories, the District of Columbia, or Canada, by examination equivalent to the Virginia examination at the time of licensure and who has met all other requirements of the board may, upon recommendation of the advisory board to the board, be licensed in Virginia by endorsement.

B. An applicant for licensure by endorsement shall *submit*.

1. ~~Meet~~ *Documentation of having met* the educational requirements prescribed in 18 VAC 85-31-40 or 18 VAC 85-31-50; ~~and~~

2. ~~Submit~~ The required application, fees, and credentials to the board ~~not less than 35 days prior to the date of endorsement or traineeship;~~ *and*

3. *Documentation of passage of the national examination as prescribed by the board.*

C. A physical therapist or physical therapist assistant seeking licensure by endorsement who has ~~been inactive for a period of not actively practiced physical therapy for at least 320 hours within the four years or more immediately preceding his application for licensure~~ shall first successfully complete a 480-hour traineeship as ~~required~~ *specified by subsection B of 18 VAC 85-31-140.*

## **18 VAC 85-31-90. Individual responsibilities to patients and to referring doctor of medicine, osteopathy, chiropractic, podiatry, or dental surgery.**

The physical therapist's responsibilities are to evaluate a patient, plan the treatment program, administer and document treatment within the limit of his professional knowledge, judgment and skills and communicate with the referring ~~practitioner~~ *doctor of medicine, osteopathy, chiropractic, podiatry, or dental surgery.*

## **18 VAC 85-31-100. Supervisory responsibilities.**

A. A physical therapist shall be responsible for any action of persons performing physical therapy functions under the physical therapist's supervision or direction.

B. Supervision of ~~a physical therapy aide~~ *nonlicensed personnel* means that a licensed physical therapist or licensed physical therapist assistant must be within a facility to give direct supervision and instruction when procedures or activities are performed. Such nonlicensed personnel shall not perform those patient care functions that require professional judgment or discretion.

C. For patients assigned to a physical therapist assistant, the physical therapist shall make on-site visits to such patients at the frequency prescribed in 18 VAC 85-31-120.

D. *When providing direct supervision to trainees, a physical therapist shall not supervise* ~~no more than three individual trainees at any one time.~~

## **18 VAC 85-31-120. Individual responsibilities to patients and to physical therapists.**

A. The initial patient visit shall be made by the physical therapist for evaluation of the patient and establishment of a plan of care.

B. The physical therapist assistant's first visit with the patient shall only be made after verbal or written communication with the physical therapist regarding patient status and plan of care. Documentation of the communication and supervised visits shall be made in the patient's record.

C. The physical therapist assistant's visits to the patient shall be made under general supervision.

D. ~~The physical therapist assistant shall be provided direct supervision by a physical therapist who shall reevaluate the patient according to the following schedules:~~

1. ~~Not less than once a week~~ For inpatients in hospitals as defined in § 32.1-123 of the Code of Virginia, *it shall not be less than once a week.*

2. *For patients in other settings, it shall be not less than one of 12 visits made to the patient during a 30-day period, or once every 30 days, whichever occurs first, in other settings.*

3. Failure to abide by this subsection due to the absence of the physical therapist in case of illness, vacation, or professional meeting, for a period not to exceed five consecutive days, will not constitute a violation of these provisions.

## **18 VAC 85-31-130. Biennial renewal of license.**

A. A physical therapist and physical therapist assistant who intends to continue practice shall renew his license biennially during his birth month in each even-numbered year and pay to the board the renewal fee prescribed in 18 VAC 85-31-160.

B. A licensee whose ~~license~~ licensure has not been renewed by the first day of the month following the month in which renewal is required shall ~~be dropped from the registration roll~~ pay a late fee as prescribed in 18 VAC 85-31-160.

~~C. An additional fee to cover administrative costs for processing a late application shall be imposed by the board.~~

~~D. C.~~ A minimum of 320 hours of practice in the preceding four years shall be required for licensure renewal.

## **18 VAC 85-31-135. Inactive license.**

A. A physical therapist or physical therapist assistant who holds a current, unrestricted license in Virginia shall, upon a request on the renewal application and submission of the required renewal fee of \$70 for a physical therapist and \$35 for a physical therapist assistant, be issued an inactive license.

1. The holder of an inactive license shall not be required to meet active practice requirements.

2. An inactive licensee shall not be entitled to perform any act requiring a license to practice physical therapy in Virginia.

B. A physical therapist or physical therapist assistant who holds an inactive license may reactivate his license by:

1. Paying the difference between the renewal fee for an inactive license and that of an active license for the biennium in which the license is being reactivated; and

2. Providing proof of active practice hours in another jurisdiction equal to those required for renewal of an active license in Virginia for the period in which the license has been inactive. If the inactive licensee does not meet the requirement for active practice, the license may be reactivated by meeting the traineeship requirements prescribed in subsection B of 18 VAC 85-31-140.

## **18 VAC 85-31-140. Traineeship required for relicensure.**

A. A physical therapist or physical therapist assistant seeking ~~relicensure~~ reinstatement who does not hold a license in Virginia and who has been inactive for a period of not practiced physical therapy in another jurisdiction for at least 320 hours within the four years or more immediately preceding applying for licensure and who wishes to resume practice shall apply for reinstatement and shall first successfully complete 480 hours as an inactive practice trainee.

B. The 480 hours of traineeship shall be in a facility that (i) serves as a clinical education facility for students enrolled in an accredited program educating physical therapists in Virginia, (ii) is approved by the advisory board, and (iii) is under the direction and supervision of a licensed physical therapist.

1. The physical therapist supervising the inactive practice trainee shall submit a report to the board at the end of the 480 hours on forms supplied by the advisory board.

2. If the traineeship is not successfully completed at the end of the 480 hours, as determined by the supervising physical therapist, the chairman of the advisory board or his designee shall determine if a new traineeship shall commence. If the chairman of the advisory board determines that a new traineeship shall not commence, then the application for licensure shall be denied.

3. The second traineeship may be served under a different supervising physical therapist and may be served in a different organization than the initial traineeship. If the second traineeship is not successfully completed, as determined by the supervising physical therapist, then the application for licensure shall be denied.

~~C. Any physical therapist or physical therapist assistant seeking licensure who has been inactive for seven years or more shall take and pass the examination approved by the board. If a trainee fails the examination three times, the trainee must appear before the advisory board prior to additional attempts.~~

---

# Final Regulations

---

**NOTICE:** The forms used in administering 18 VAC 85-31-10 et seq., Regulations Governing the Practice of Physical Therapy, are not being published due to the large number; however, the name of each form is listed below. The forms are available for public inspection at the Board of Medicine, 6606 W. Broad Street, 4th Floor, Richmond, Virginia, or at the office of the Registrar of Regulations, General Assembly Building, 9th and Broad Streets, 2nd Floor, Richmond, Virginia.

## FORMS

Application for a License to Practice Physical Therapy (rev. 5/97).

Instructions for Licensure by [ ~~Examination~~ Endorsement ] to Practice as a Physical Therapist or Physical Therapist Assistant (Graduate of an ~~American~~ Approved Program), [ ~~Form DHP-30-059~~ ] (rev. 8/99).

Instructions for Licensure by Examination to Practice as a Physical Therapist or Physical Therapist Assistant (Graduate of a ~~Non-American~~ Nonapproved Program), [ ~~Form DHP-30-059~~ ] (rev. 8/99).

Instructions for Licensure by Examination to Practice as a Physical Therapist or Physical Therapist Assistant (Graduate of an Approved Program), [ ~~Form DHP-30-059~~ ] (rev. 8/99).

Instructions for Licensure by Endorsement to Practice as a Physical Therapist or Physical Therapist Assistant (Graduate of a Nonapproved Program), [ ~~Form DHP-30-059~~ ] (rev. 8/99).

Quiz on the Virginia Code and Regulations.

The Interstate Reporting Services, National Physical Therapy Examination (PT/PTA), Score Registration and Transfer Request Application (rev. 8/95).

Traineeship Application (rev. 4/96).

Foreign Trained Approved Traineeship Facilities (rev. 8/94).

Verification of Physical Therapy Practice (rev. 7/93).

Verification of State Licensure (rev. 4/96).

Licensure Registration (rev. 4/96).

Renewal Notice and Application (rev. [ ~~5/97~~ 2/00 ] ).

VA.R. Doc. No. R99-10; Filed February 11, 2000, 11:28 a.m.

## CEMETERY BOARD

**Title of Regulation:** 18 VAC 47-20-10 et seq. **Cemetery Board Rules and Regulations.**

**Statutory Authority:** §§ 54.1-201 and 54.1-2313 of the Code of Virginia.

**Effective Date:** July 1, 2000.

### Summary:

*The regulations outline requirements placed on cemetery companies and their sales personnel concerning their*

*licensing, reporting and enforcement of the regulations and the Cemetery Act.*

*The regulations also specify licensing requirements for cemetery companies and their sales personnel, along with fee structures for these licenses. In addition, standards of practice and conduct for cemetery companies are specified, including certain requirements for the establishment of perpetual care and preneed trust funds, the presentation of a price list of burial fees, and requirements for preneed burial contracts.*

**Summary of Public Comments and Agency's Response:** A summary of comments made by the public and the agency's response may be obtained from the promulgating agency or viewed at the office of the Registrar of Regulations.

**Agency Contact:** Copies of the regulation may be obtained from Eric L. Olson, Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, VA 23230, telephone (804) 367-2039.

## CHAPTER 20.

### CEMETERY BOARD RULES AND REGULATIONS.

#### PART I.

#### GENERAL PROVISIONS.

#### 18 VAC 47-20-10. Definitions.

*The following words and terms when used in this chapter shall have the definitions ascribed to them in § 54.1-2310 of the Code of Virginia or shall have the following meanings, unless the context clearly indicates otherwise:*

*"Administration" means the cost to administer and maintain records required by Chapter 23.1 (§ 54.1-2310 et seq.) of Title 54.1 of the Code of Virginia or any regulation of the board, including a percentage of compensation of employees, payment of insurance premiums, reasonable payments for employees' pension and other benefit plans, and costs of maintaining cemetery company and sales personnel compliance with the board's licensure and registration requirements.*

*"Change in ownership" means a change in 50% or more of the stockholders or partnership interest, or both, of a cemetery company.*

*"Licensee" means any person licensed by the board as a cemetery company.*

*"Outer burial container" means any container which is designed for placement in the grave around the casket including, but not limited to, containers commonly known as [ burial ] vaults or grave [ boxes and grave ] liners.*

*"Perpetual care" means continuing care, maintenance, administration and embellishment of the cemetery.*

*"Preneed trust fund" means those moneys held in accordance with § 54.1-2325 of the Code of Virginia.*

*"Principal" means the following individuals:*

1. The sole proprietor of a sole proprietorship.
2. The partners of a general partnership.

3. The managing partners of a limited partnership.
4. The officers of a corporation as registered with the State Corporation Commission.
5. The managers of a limited liability company.
6. The officers or directors of an association.

"Registrant" means any natural person registered with the board as sales personnel.

"Sales personnel" means any natural person employed by or affiliated as an independent contractor with a licensed cemetery company who deals with the public in the sale or offering for sale [ of ] any property or services enumerated in the definition of "cemetery company" contained in § 54.1-2310 of the Code of Virginia.

"Services" means any act or activity by the cemetery company in relation to arranging, supervising, interring or disposing of the remains or commemorating the memory of deceased human beings.

## PART II.

### APPLICATION AND ENTRY REQUIREMENTS.

#### 18 VAC 47-20-20. Necessity for license and registration.

No person shall engage in the business of a cemetery company in the Commonwealth without first being issued a license by the board, unless exempt by Chapter 23.1 (§ 53.1-2310 et seq.) of Title 54.1 of the Code of Virginia. All sales personnel must be registered with the board.

#### 18 VAC 47-20-30. Qualifications for cemetery company license.

A. Every [ ~~legal business entity~~ person ] applying for a cemetery company [ license ] shall meet all of the requirements outlined in §§ 54.1-2311 and 54.1-2314 of the Code of Virginia as well as the additional qualifications of this section.

B. Each [ ~~firm~~ person ] applying for a cemetery company license and the principals of that firm shall disclose, at the time the application is submitted, any current or previous cemeteries managed in Virginia or in [ any ] other jurisdictions, and any disciplinary actions taken against those cemeteries, or the individuals managing them. This includes, but is not limited to, any monetary penalties, fines or disciplinary actions taken by any federal, state or local regulatory agencies.

C. In accordance with § 54.1-2314 of the Code of Virginia, each applicant shall disclose the following information about the cemetery company and any of the principals of the company:

1. A conviction in any jurisdiction of any felony or any crime of moral turpitude, there being no appeal pending therefrom or the time for appeal having elapsed.
2. A conviction in any jurisdiction of any misdemeanor within five years of the date the application is submitted.

Any plea of nolo contendere shall be considered a conviction for purposes of this subsection. The record of a

conviction received from a court shall be accepted as prima facie evidence of a conviction or finding of guilt. The board, in its discretion, may deny approval of a cemetery application in accordance with § 54.1-204 of the Code of Virginia.

#### 18 VAC 47-20-40. Qualifications for registration of sales personnel.

A. Cemetery company sales personnel shall submit an application on a form prescribed by the board and shall meet the requirements set forth in § 54.1-2314 of the Code of Virginia, as well as the additional qualifications of this section.

B. Every applicant to the board for registration as sales personnel shall provide his name, address, the license number of the cemetery company he will be employed by or affiliated with, and the address of each cemetery for which he will act as sales personnel.

C. Each applicant for registration as sales personnel shall disclose, at the time the application is submitted, any current or previous cemetery sales licenses/registrations from Virginia or [ in any ] other jurisdictions, and any disciplinary actions taken against those licenses/registrations. This includes, but is not limited to, any monetary penalties, fines or disciplinary actions taken by any federal, state or local regulatory agencies.

D. Each applicant for registration as sales personnel shall disclose, at the time the application is submitted, the following information:

1. A conviction in any jurisdiction of any felony or any crime of moral turpitude, there being no appeal pending therefrom or the time for appeal having elapsed.
2. A conviction in any jurisdiction of any misdemeanor within five years of the date the application is submitted.

Any plea of nolo contendere shall be considered a conviction for purposes of this subsection. The record of a conviction received from a court shall be accepted as prima facie evidence of a conviction or finding of guilt. The board, in its discretion, may refuse registration [ ~~to~~ of ] a sales personnel application in accordance with § 54.1-2314 of the Code of Virginia.

#### 18 VAC 47-20-50. [ Concurrent registration permitted; ] transfer of sales personnel registration prohibited [ , concurrent registration permitted ].

A. [ ~~A sales personnel registration may not be transferred from one licensed cemetery company to another. The registration is void if the registrant is no longer affiliated with the cemetery company indicated on the original application for registration.~~ B. ] Sales personnel may be employed by or affiliated with more than one cemetery company provided that a separate registration is obtained for each such employment or affiliation.

[ B. A sales personnel registration may not be transferred from one licensed cemetery company to another. The registration is void if the registrant is no longer affiliated with the cemetery company indicated on the original application for registration. ]

---

# Final Regulations

---

## 18 VAC 47-20-60. Qualifications of trustees.

A. The trustee of a perpetual care trust fund or a preneed trust fund, other than a Virginia trust company or trust subsidiary or a federally insured bank or savings institution doing business in the Commonwealth, must meet the requirements of this section and shall be governed by § 54.1-2318 of the Code of Virginia.

B. The trustee applicant shall be at least 18 years old and have a minimum of five years experience either as an individual trustee or as an agent for a firm responsible for the management of a trust.

C. Each trustee or trust firm, or both, shall provide information for the 10 years prior to the submission of the application on any outstanding judgments, outstanding tax obligations, and/or defaults on any bonds [ directly related to the management of the trust ]. If the trustee firm or its parent or predecessor organization has, during the previous 10 years, been adjudicated a bankrupt or has any proceeding for the relief of debtors, such fact or facts shall be stated. [ ~~The trust firm and the principals of the firm shall submit information on any outstanding judgments or defaults on bonds directly related to the management of a trust.~~ ]

D. Each trust firm and principals of the firm shall disclose, at the time the application is submitted, any current or previous trusts managed in Virginia or in other jurisdictions, and any disciplinary actions taken against these trusts, the trust company, or the individuals managing the trusts. This includes, but is not limited to, any monetary penalties, fines or disciplinary actions taken by any federal, state or local regulatory agencies.

E. The trustee must meet the bonding requirements set forth in §§ 54.1-2317 and 54.1-2326 of the Code of Virginia as applicable.

F. In accordance with §§ 54.1-2317 and 54.1-2326 of the Code of Virginia, each trustee shall disclose the following information about the trust firm or principals of the firm:

1. A conviction in any jurisdiction of any felony;
2. A conviction in any jurisdiction of any misdemeanor within five years of the date the application is submitted.

Any plea of nolo contendere shall be considered a conviction for the purposes of this chapter. The record of a conviction received from a court shall be accepted as prima facie evidence of a conviction or finding of guilt. The board, in its discretion, may deny approval of a trustee application in accordance with § 54.1-2317 or § 54.1-2326 of the Code of Virginia.

## 18 VAC 47-20-70. Application fees.

Application fees are nonrefundable.

Cemetery company license	\$600 per cemetery
Addition of cemetery	\$600 per cemetery
Sales personnel registration	\$50 per cemetery
Dishonored check fee	\$25

## PART III.

### RENEWAL AND REINSTATEMENT OF LICENSE.

## 18 VAC 47-20-80. Renewal required.

Licenses and registrations issued under this chapter shall expire two years from the last day of the month in which they were issued, as indicated on the license or registration.

## 18 VAC 47-20-90. Qualifications for renewal.

All applicants for renewal of a license or registration must meet the renewal requirements set forth in § 54.1-2311 of the Code of Virginia, and pay the renewal fee specified in 18 VAC 47-20-140.

## 18 VAC 47-20-100. Procedures for renewal.

Renewal of licenses and registrations shall be on forms prescribed by the board. The Department of Professional and Occupational Regulation will mail a renewal application to the licensee or registrant. The renewal application will be sent to the last known address of record.

Failure to receive this application shall not relieve the licensee or regulant of the obligation to renew. The renewal application shall be completed in full prior to renewal of the license or registration.

## 18 VAC 47-20-110. Reinstatement required.

A. If the requirements for renewal of a license or registration, including receipt of the fee by the board, are not complete within 30 days of the license or registration expiration date, the licensee or registrant shall be required to reinstate the license or registration by meeting all renewal requirements and paying the reinstatement fee specified in 18 VAC 47-20-140.

B. A license or registration may be reinstated for up to one year following the expiration date with payment of the renewal and reinstatement fee. After one year, the license or registration may not be reinstated under any circumstances and the applicant must meet all current requirements and apply as a new applicant.

C. Any activity requiring a license or registration conducted subsequent to the expiration may constitute unlicensed or unregistered activity and be subject to prosecution under Chapter 1 (§ 54.1-100 et seq.) of Title 54.1 of the Code of Virginia.

## 18 VAC 47-20-120. Status of licensee or registrant during the period prior to reinstatement.

A. When a license or registration is reinstated, the license or registration shall continue to have the same number and shall be assigned an expiration date two years from the previous expiration date of the license or registration.

B. A licensee or registrant who reinstates his license or registration shall be regarded as having been continuously licensed or registered without interruption. Therefore, the licensee or registrant shall remain under the disciplinary authority of the board during this entire period and may be held accountable for his activities during this period.

C. A licensee or registrant who fails to reinstate his license or registration shall be regarded as unlicensed from the expiration date of the license or registration forward.

## **18 VAC 47-20-130. Board discretion to deny renewal or reinstatement.**

A. The board may deny renewal or reinstatement of a license or registration for the same reasons as it may refuse initial licensure or registration or discipline a licensee or registrant.

B. The board may deny renewal or reinstatement of a license or registration if the applicant has not fully paid monetary penalties, satisfied sanctions and paid costs imposed by the board, plus any accrued interest.

## **18 VAC 47-20-140. Renewal and reinstatement fees.**

All fees required by the board are nonrefundable. The date on which the fee is received by the department or its agent shall determine whether the licensee or registrant is eligible for renewal or reinstatement or must reapply as a new applicant.

Renewal of cemetery company license	\$600 per cemetery
Renewal of sales personnel registration	\$50 per cemetery
Reinstatement of cemetery company license	\$100 per cemetery
Reinstatement of sales personnel registration	\$50
Dishonored check fee	\$25

## **PART IV.**

## **STANDARDS OF PRACTICE AND CONDUCT.**

## **18 VAC 47-20-150. Grounds for disciplinary action.**

The board may suspend a license or registration for a stated period or indefinitely, revoke any license or registration, censure or reprimand any person licensed or registered by the board or place such person on probation for such time as it may designate when any license or registrant has been found to have violated or cooperated with others in violating any provision of Chapter 23.1 (§ 54.1-2310 et seq.) of Title 54.1 of the Code of Virginia, or any regulation of the board.

## **18 VAC 47-20-160. Maintenance of license and registration.**

A. Any change in the name and address of each cemetery in Virginia in which the cemetery company has a business interest, the name and address of all officers and directors of the cemetery company, the registered agent for the cemetery company, or the compliance agent must be reported to the board in writing within 30 days after the change as required by § 54.1-2311 of the Code of Virginia. A new license shall be required if there is a change in ownership of the cemetery company or whenever the legal business entity holding a cemetery company license is dissolved or altered to form a new business entity.

B. A cemetery company wishing to add a cemetery to its license shall complete a form provided by the board and submit the fee as prescribed in 18 VAC 47-20-70. Both the cemetery company and the cemetery being added to the registration must meet the requirements found in Chapter 23.1 of Title 54.1 of the Code of Virginia and 18 VAC 47-20-30. Sales personnel of the new cemetery will be required to register in accordance with 18 VAC 47-20-40.

C. Any change in the name and home address of any registrant must be reported to the board in writing within 30 days after the change.

D. The board shall not be responsible for the licensee's or registrant's failure to receive notices, communications and correspondence caused by the licensee's or registrant's failure to promptly notify the board of any change of address.

E. Sales personnel shall be issued a registration to the compliance agent at the place of business of the licensed cemetery company with which the registrant is affiliated or at which the registrant is employed. When any registrant is discharged or in any way terminates his employment or affiliation with a licensed cemetery company, or when the cemetery company's license is suspended or revoked, it shall be the duty of the compliance agent to return the registration to the board within 10 calendar days of the date of such discharge or termination.

## **18 VAC 47-20-170. Display and verification of license or registration.**

Licenses and registrations must be visibly displayed at the place of business of the licensed cemetery company. All licensees and registrants must provide verification of licensure or registration upon request of the public.

## **18 VAC 47-20-180. Records of interments.**

A permanent record shall be kept of every interment in the cemetery, showing the date of the interment, the name of the person interred, together with information identifying the specific location in which the interment was made.

## **18 VAC 47-20-190. Prohibited activities.**

In addition to the acts set forth in §§ 54.1-2314, 54.1-2315 and 54.1-2316 of the Code of Virginia, the board may discipline a licensee or registrant for the following acts:

1. Employing or affiliating with by independent contract, sales personnel not registered with the board.
2. [ Unless otherwise addressed in this chapter, ] failing to retain for a period of three years all records required by this chapter or Chapter 23.1 (§ 54.1-2310 et seq.) of Title 54.1 of the Code of Virginia at the place of business in Virginia of the licensed cemetery company.
3. Failing to produce to the board or any of its agents, upon request, any document, book, or record required by this chapter or Chapter 23.1 (§ 54.1-2310 et seq.) of Title 54.1 of the Code of Virginia.
4. Failing to respond to an inquiry by the board or any of its agents within 21 days.

---

# Final Regulations

---

5. Advertising in any name other than the name in which licensed or registered.

6. Furnishing substantially inaccurate or incomplete information to the board in obtaining, renewing, reinstating, or maintaining a license or registration.

7. Allowing a cemetery company license or sales personnel registration to be used by an unlicensed cemetery company or unregistered sales personnel.

8. Acting as or being an ostensible licensee for undisclosed persons who do or will control or direct, directly or indirectly, the operations of the licensee's business.

9. Having failed to inform the board in writing, within 30 days, that the company, an officer, director or compliance agent, has pleaded guilty or nolo contendere or was convicted and found guilty of any felony or any crime involving moral turpitude.

10. Having failed to inform the board in writing, within 30 days, of a disciplinary action in a jurisdiction where licensed, including suspension, revocation or surrender in connection with a disciplinary action.

11. Failing to reasonably maintain the buildings, grounds, and facilities of a cemetery licensed to a cemetery company.

12. Failing to file any report required by Chapter 23 of Title 54.1 of the Code of Virginia.

13. Engaging in negligent, improper, fraudulent, or dishonest conduct.

## **18 VAC 47-20-200. Perpetual care trust fund and bonding requirement.**

A. Each licensed cemetery company shall establish a perpetual care trust fund in accordance with § 54.1-2316 of the Code of Virginia.

B. If the trustee for the perpetual care trust fund is other than a Virginia trust company or trust subsidiary or a federally insured bank or savings institution doing business in the Commonwealth, the trustee shall be approved by the board and shall deposit a fidelity bond in accordance with § 54.1-2317 of the Code of Virginia.

C. Deposits into the fund shall be made in accordance with §§ 54.1-2319 through 54.1-2321 of the Code of Virginia.

D. The income from the perpetual care trust fund shall be used in accordance with § 54.1-2322 of the Code of Virginia.

E. Each licensed cemetery company shall submit written financial reports regarding perpetual care trust funds to the board as prescribed by §§ 54.1-2323 and 54.1-2324 of the Code of Virginia.

F. Transfer of funds to another trustee shall be done in accordance with § 54.1-2337 of the Code of Virginia.

## **18 VAC 47-20-210. Preneed trust fund and bonding requirements.**

A. Each licensed cemetery company shall establish a preneed trust fund and make deposits in accordance with § 54.1-2315 of the Code of Virginia.

B. If the trustee for the preneed trust fund is other than a Virginia trust company or trust subsidiary or a federally insured bank or savings institution doing business in the Commonwealth, the trustee shall be approved by the board and shall deposit a fidelity bond with the board in accordance with § 54.1-2326 of the Code of Virginia.

C. All funds shall be handled in accordance with §§ 54.1-2329 through 54.1-2331 of the Code of Virginia.

D. Each licensed cemetery company shall submit a written financial report regarding preneed trust accounts to the board as prescribed by § 54.1-2333 of the Code of Virginia.

E. Transfer of funds to another trustee shall be done in accordance with § 54.1-2337 of the Code of Virginia.

## **18 VAC 47-20-220. Itemized statement and general price list of burial fees to be furnished.**

Cemetery companies shall furnish a written general price list and a written itemized statement of goods and services they provide. This itemized statement shall include, but is not limited to, burial vaults and other burial receptacles, other merchandise, facilities used, and other professional services. Prices for merchandise may be stated as a range of values. Prices for services must be specific for each type of service, including any difference in prices based on the day or time the service is provided. This list shall be set forth in a clear and conspicuous manner.

The list shall be available to individuals inquiring in person about burial arrangements or the prices of property or services. In addition, upon beginning a discussion of burial arrangements or the selection of any property or services, the general price list shall be offered by the cemetery property.

## **18 VAC 47-20-230. Preneed burial contracts.**

A. All preneed burial contracts must be made on forms prescribed by the board in accordance with § 54.1-2328 of the Code of Virginia, and must contain the following disclosures:

1. Identifies the seller, seller's license number, contract buyer and person for whom the contract is purchased if other than the contract buyer;

2. Contains a complete description of the property or services purchased;

3. Clearly discloses whether the price of the property and services purchased are guaranteed;

4. States for funds required to be trusted pursuant to § 54.1-2325 of the Code of Virginia, the amount to be trusted and the name of the trustee;

5. Contains the name, address and telephone number of the board and lists the board as the regulatory agency which handles consumer complaints;



6. Provides that any purchaser who makes payment under the contract may terminate the agreement within three days of execution and that such purchaser shall be refunded all consideration paid or delivered, less amounts paid for any property or supplies that have been delivered;

7. Provides that if the particular property or services specified in the contract are unavailable at the time of delivery, the seller shall be required to furnish property or services similar in size and style and at least equal in quality of material and workmanship and that the representative of the deceased shall have the right to choose the property or services to be substituted, which shall be at least equal or reasonably equivalent in quality of material, workmanship, and cost;

8. Discloses any additional costs that the purchaser may be required to pay at-need, including the disclosure of the cost of opening and closing the grave;

9. Complies with all disclosure requirements imposed by the board;

10. Is executed in duplicate and a signed copy given to the buyer;

11. Provides that the contract buyer shall have the right to change the contract provider at any time prior to the furnishing of the property or services, excluding any mausoleum crypt or garden crypt, contracted for under the preneed burial contract. If the contract seller will not be furnishing the property and services to the purchaser, the contract seller shall attach to the preneed burial contract a copy of the seller's agreement with the provider.

B. Any preneed burial contract sold or offered by any cemetery company or agent with a trust fund deposit of less than 100% shall be required to include the following printed statement in capitalized letters, in 10-point, bold-faced type:

**THIS PRENEED BURIAL CONTRACT REQUIRES THE PLACEMENT IN TRUST OF A MINIMUM OF 40% OF THE FUNDS INCLUDED IN THIS CONTRACT. THE BALANCE OF FUNDS MAY BE USED FOR CARE AND MAINTENANCE OF THE CEMETERY AND ARE NOT REQUIRED TO BE PLACED IN TRUST.**

C. Each seller of a preneed burial contract shall file with the board, upon request, a detailed account of all contracts and transactions regarding preneed burial contracts accordance with § 54.1-2332 of the Code of Virginia.

**18 VAC 47-20-240. Execution of contracts for licensees whose licenses have been suspended or revoked.**

In the event a license has been suspended or revoked and the licensee is a party to a preneed burial contract, which must be executed at-need, the board may file a petition for appointment of a receiver with any court of record having equity jurisdiction over the licensee. The petition shall be necessary to ensure execution of the contract including the appointment of a receiver. If a receiver is appointed, the

licensee, as determined by the court, shall pay his expenses and a reasonable fee.

**NOTICE:** The forms used in administering 18 VAC 47-20-10 et seq., Cemetery Board Rules and Regulations, are not being published due to the large number; however, the name of each form is listed below. The forms are available for public inspection at the Department of Professional and Occupational Regulation, 3600 W. Broad Street, Richmond, Virginia, or at the office of the Registrar of Regulations, General Assembly Building, 2nd Floor, Richmond, Virginia.

## FORMS

Compliance Agent/Director/Officer Change Form, CCADOCHG (eff. 7/1/00).

Cemetery Addition Form, CCCADD (eff. 7/1/00).

Cemetery Company License Application, CCCLIC (eff. 7/1/00).

New Trustee/Transfer of Funds Notification Form, CCNEWTR (eff. 7/1/00).

Perpetual Care Trust Fund Financial Report Instructions, CCPCTINS (eff. 7/1/00).

Perpetual Care Fidelity Bond Form, CCPCFBND (eff. 7/1/00).

Perpetual Care Trust Fund Financial Report, CCPCTFR (eff. 7/1/00).

Perpetual Care Trust Fund Financial Report - Schedule A (Statement of Receipts and Expenses), CCPCTFRA (eff. 7/1/00).

Perpetual Care Trust Fund Financial Report - Schedule B (Statement of Required Deposits), CCPCTFRB (eff. 7/1/00).

Perpetual Care Trust Fund Financial Report - Schedule C (Statement of Expenses Incurred for the General Care, Maintenance, Embellishment and Administration of Cemeteries), CCPCTFRC (eff. 7/1/00).

Perpetual Care Trust Fund Financial Report - Schedule D (Statement of Investment Securities), CCPCTFRD (eff. 7/1/00).

Perpetual Care Trust Fund Financial Report - Schedule E (Cemeteries Covered by Trust Fund), CCPCTFRE (eff. 7/1/00).

Preneed Trust Fund Financial Report Instructions, CCPTINS (eff. 7/1/00).

Preneed Fidelity Bond Form, CCPFBND (eff. 7/1/00).

Preneed Trust Fund Financial Report, CCPTFR (eff. 7/1/00).

Preneed Trust Fund Financial Report - Schedule A (Statement of Receipts and Expenses), CCPTFRA (eff. 7/1/00).

Preneed Trust Fund Financial Report - Schedule B (Statement of Financial Deposits), CCPTFRB (eff. 7/1/00).

Preneed Trust Fund Financial Report - Schedule C (Statement of Investment Securities), CCPTFRC (eff. 7/1/00).

---

# Final Regulations

---

*Cemetery Company Renewal/Reinstatement Application, CCRENREI (eff. 7/1/00).*

*Sales Personnel Registration Form, CCSLSREG (eff. 7/1/00).*

*Perpetual Care Trust Fund Trustee Affidavit, CCTRAFF (eff. 7/1/00).*

*Trustee Approval Application, CCTRAPP (eff. 7/1/00).*

*Preneed Burial Contract, CCPCTRCT (eff. 7/1/00).*

VA.R. Doc. No. R98-260; Filed February 15, 2000, 3:50 p.m.

## BOARD OF NURSING

**Title of Regulation:** 18 VAC 90-20-10 et seq. **Regulations Governing the Practice of Nursing (amending 18 VAC 90-20-30, 18 VAC 90-20-190, 18 VAC 90-20-230, and 18 VAC 90-20-350).**

**Statutory Authority:** §§ 54.1-113 and 54.1-2400 of the Code of Virginia.

**Effective Date:** April 12, 2000.

### Summary:

*The amendments increase certain fees pursuant to statutory mandate to levy fees as necessary to cover expenses of the Board of Nursing. Biennial renewal fees for registered nurses and licensed practical nurses are increased from \$40 to \$70. Similarly, biennial renewal fees for certified nurse aides are increased from \$30 to \$45, and such fees for clinical nurse specialists are increased from \$30 to \$60. While most fees are increased, the fee for a late renewal within one biennium would decrease from \$50 to \$25. Fees sufficient to fund the operations of the board are essential for activities such as licensing, approval of nurse education programs, investigation of complaints, and adjudication of disciplinary cases.*

**Summary of Public Comments and Agency's Response:** A summary of comments made by the public and the agency's response may be obtained from the promulgating agency or viewed at the office of the Registrar of Regulations.

**Agency Contact:** Nancy K. Durrett, R.N., Board of Nursing, 6606 West Broad Street, 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9909.

### **18 VAC 90-20-30. Fees.**

Fees required in connection with the licensing of applicants by the board are:

1. Application for licensure by examination	<del>\$25</del> \$105
2. Application for licensure by endorsement	<del>\$50</del> \$105
3. <i>Reapplication for licensure by examination</i>	\$25
<del>3- 4.</del> Biennial licensure renewal	<del>\$40</del> \$70
5. <i>Late renewal</i>	\$25
<del>4- 6.</del> Reinstatement of <i>lapsed</i> license	<del>\$50</del> \$120
7. <i>Reinstatement of suspended or revoked</i>	\$160

*license*

<del>5- 8.</del> Duplicate license	<del>\$45</del> \$5
9. <i>Replacement wall certificate</i>	\$15
<del>6- 10.</del> Verification of license	\$25
<del>7- 11.</del> Transcript of all or part of applicant/licensee records	<del>\$20</del> \$25
<del>8- 12.</del> Returned check charge	<del>\$45</del> \$25
<del>9- 13.</del> Application for CNS registration	<del>\$50</del> \$95
<del>40- 14.</del> Biennial renewal of CNS registration	<del>\$30</del> \$60
<del>44- 15.</del> Reinstatement of lapsed CNS registration	<del>\$25</del> \$105
<del>42- 16.</del> Verification of CNS registration to another jurisdiction	\$25
17. <i>Late renewal of CNS registration</i>	\$20

### **18 VAC 90-20-190. Licensure by examination.**

A. The board shall authorize the administration of examinations for registered nurse licensure and examinations for practical nurse licensure.

B. A candidate shall be eligible to take the examination (i) upon receipt by the board of the completed application, fee and an official transcript from the nursing education program; and (ii) when a determination has been made that no grounds exist upon which the board may deny licensure pursuant to § 54.1-3007 of the Code of Virginia.

C. To establish eligibility for licensure by examination, an applicant for the licensing examination shall:

1. File the required application, any necessary documentation and fee no later than 60 days prior to the first day of the month in which the applicant expects to take the examination.
2. Arrange for the board to receive an official transcript from the nursing education program which shows either:
  - a. That the degree or diploma has been awarded; or
  - b. That all requirements for awarding the degree or diploma have been met and specifies the date of conferral.
3. File a new application and *reapplication* fee if:
  - a. The examination is not taken within six months of the date that the board determines the applicant to be eligible; or
  - b. Eligibility is not established within six months of the original filing date.

D. The minimum passing standard on the examination for registered nurse licensure and practical nurse licensure shall be determined by the board.

E. Any applicant suspected of giving or receiving unauthorized assistance during the examination may be noticed for a hearing pursuant to the provisions of the

Administrative Process Act (§ 9-6.14:1 et seq. of the Code of Virginia) to determine eligibility for licensure or reexamination.

F. The board shall not release examination results of a candidate to any individual or agency without written authorization from the applicant or licensee.

G. Practice of nursing pending receipt of examination results.

1. An eligible graduate who has filed an application for licensure in Virginia may practice nursing in Virginia for a period not to exceed 90 days between completion of the nursing education program and the receipt of the results of the candidate's first licensing examination.

2. Candidates who practice nursing as provided in subdivision 1 of this subsection shall use the designation "R.N. Applicant" or "L.P.N. Applicant" when signing official records.

3. The designations "R.N. Applicant" and "L.P.N. Applicant" shall not be used by applicants who either do not take the examination within 90 days following completion of the nursing education program or who have failed the examination.

H. Applicants who fail the examination.

1. An applicant who fails the licensing examination shall not be licensed or be authorized to practice nursing in Virginia.

2. An applicant for licensure by reexamination shall file the required application and *reapplication* fee no later than 60 days prior to the first day of the month in which the applicant expects to take the examination in order to establish eligibility.

3. Applicants who have failed the examination for licensure in another U.S. jurisdiction but satisfy the qualifications for licensure in this jurisdiction may apply for licensure by examination in Virginia. Such applicants shall submit the required application and fee. Such applicants shall not, however, be permitted to practice nursing in Virginia until the requisite license has been issued.

## **18 VAC 90-20-230. Reinstatement of lapsed licenses.**

~~A.~~ *A nurse whose license has lapsed may be reinstated within one renewal period by payment of the current renewal fee and the late renewal fee.*

~~A.~~ *B. A nurse whose license has lapsed for more than one renewal period shall file a reinstatement application and pay the current renewal fee and the reinstatement fee.*

~~C.~~ *A nurse whose license has been suspended or revoked by the board may apply for reinstatement by filing a reinstatement application and paying the fee for reinstatement after suspension or revocation.*

~~B.~~ *D. The board may request evidence that the nurse is prepared to resume practice in a competent manner.*

## **18 VAC 90-20-350. Nurse aide registry.**

A. Initial certification by examination.

1. To be placed on the registry and certified, the nurse aide must:

a. Satisfactorily complete a nurse aide education program approved by the board; or

b. Be enrolled in a nursing education program preparing for registered nurse or practical nurse licensure, have completed at least one nursing course which includes clinical experience involving client care; or

c. Have completed a nursing education program preparing for registered nurse licensure or practical nurse licensure; and

d. Pass the competency evaluation required by the board; and

e. Submit the required application and fee to the board.

2. Initial certification by endorsement.

a. A graduate of a state-approved nurse aide education program who has satisfactorily completed a competency evaluation program and is currently registered in another state may apply for certification in Virginia by endorsement.

b. An applicant for certification by endorsement shall submit the required application and fee and submit the required verification form to the credentialing agency in the state where registered, certified or licensed within the last two years.

3. Initial certification shall be for two years.

B. Renewal of certification.

1. No less than 30 days prior to the expiration date of the current certification, an application for renewal shall be mailed by the board to the last known address of each currently registered certified nurse aide.

2. The certified nurse aide shall return the completed application with the required fee of ~~\$30~~ \$45 and verification of performance of nursing-related activities for compensation within the preceding two years. The board shall also charge a fee of ~~\$45~~ \$25 for a returned check.

3. Failure to receive the application for renewal shall not relieve the certificate holder of the responsibility for renewing the certification by the expiration date.

4. A certified nurse aide who has not performed nursing-related activities for compensation during the two years preceding the expiration date of the certification shall repeat and pass the nurse aide competency evaluation prior to applying for recertification.

C. Reinstatement of lapsed certification. An individual whose certification has lapsed shall file the required application and renewal fee and:

---

# Final Regulations

---

1. Verification of performance of nursing-related activities for compensation prior to the expiration date of the certificate and within the preceding two years; or

2. When nursing activities have not been performed during the preceding two years, evidence of having repeated and passed the nurse aide competency evaluation.

D. Evidence of change of name. A certificate holder who has changed his name shall submit as legal proof to the board a copy of the marriage certificate or court order authorizing the change. A duplicate certificate shall be issued by the board upon receipt of such evidence and the required fee.

E. Requirements for current mailing address.

1. All notices required by law and by this chapter to be mailed by the board to any certificate holder shall be validly given when mailed to the latest address on file with the board.

2. Each certificate holder shall maintain a record of his current mailing address with the board.

3. Any change of address by a certificate holder shall be submitted in writing to the board within 30 days of such change.

**NOTICE:** The forms used in administering 18 VAC 90-20-10 et seq., Regulations Governing the Practice of Nursing, are not being published due to the large number; however, the name of each form is listed below. The forms are available for public inspection at the Department of Health Professions, 6606 West Broad Street, Richmond, Virginia, or at the office of the Registrar of Regulations, General Assembly Building, 9th and Broad Streets, 2nd Floor, Richmond, Virginia.

## FORMS

Application for Licensure by Endorsement - Registered Nurse (with Instructions) (rev. ~~7/97~~ [ ~~8/99~~ 6/98 ]).

Application for Licensure by Endorsement - Licensed Practical Nurse (rev. 8/99).

Instructions for Filing Application for Licensure by Examination for Registered Nurses (8/97).

Application for Licensure by Examination - Registered Nurse (rev. ~~8/97~~ 8/99).

Instructions for Filing Application for Licensure by Examination for Practical Nurses (rev. 11/96).

Application for Licensure by Examination - Licensed Practical Nurses (rev. ~~44/96~~ 8/99).

Instructions for Filing Application for Licensure by Repeat Examination for Registered Nurses (rev. 8/97).

Application for Licensure by Repeat Examination for Registered Nurse (rev. ~~8/97~~ 8/99).

Instructions for Filing Application for Licensure by Repeat Examination for Practical Nurses (rev. 8/97).

Application for Licensure by Repeat Examination for Licensed Practical Nurse (rev. ~~8/97~~ 8/99).

Instructions for Filing Application for Licensure by Examination for Nurses Educated in Other Countries (rev. 8/97).

Application for Licensure by Examination for *Registered* Nurses Educated in Other Countries (rev. ~~8/97~~ 8/99).

Instructions for Filing Application by Practical Nurses from Other Countries (rev. 1/94).

Application for Licensure by Examination for Licensed Practical Nurses Educated in Other Countries (rev. ~~44/95~~ 8/99).

Application for Reinstatement of License as a Registered Nurse (rev. [ 1/98 ~~8/99~~ ]).

Application for Reinstatement of License as a Licensed Practical Nurse (rev. [ ~~4/98~~ 8/99 ] ).

Verification of Licensure or Registration (rev. 11/95).

Renewal Notice and Application ( [ ~~7/97~~ 2/00 ] ).

Application for Registration as a Clinical Nurse Specialist (rev. ~~7/97~~ [ ~~8/99~~ 2/98 ] ).

Survey Visit Report.

Annual Report for Registered Nursing Programs.

Annual Report for Practical Nursing Programs.

Certified Nurse Aide Renewal *Notice and Application* [ ~~45783~~ (~~7/97~~ 2/00) ] ).

Application for Reinstatement of Nurse Aide Certification (rev. 8/99).

Application for Nurse Aide Certification by Endorsement.

Nurse Aide Certification Verification Form.

Application to Establish Nurse Aide Education Program (rev. 5/99).

Program Evaluation Report (rev. 5/99).

On-Site Review Report (rev. 5/99).

Evaluation of On-Site Visitor.

Request for Statistical Information.

VA.R. Doc. No R99-137; Filed February 16, 2000, 11:50 a.m.

## **BOARD OF LICENSED PROFESSIONAL COUNSELORS, MARRIAGE AND FAMILY THERAPISTS, AND SUBSTANCE ABUSE TREATMENT PROFESSIONALS**

Title of Regulation: **18 VAC 115-20-10 et seq. Regulations Governing the Practice of Professional Counseling (amending 18 VAC 115-20-20, [ ~~48 VAC 115-20-40,~~ ] 18 VAC 115-20-100, 18 VAC 115-20-110, and 18 VAC 115-20-150).**

**Statutory Authority:** §§ 54.1-113 and 54.1-2400 of the Code of Virginia.

**Effective Date:** April 12, 2000.

**Summary:**

*The amendments establish a new fee structure to comply with a statutory requirement that fees be sufficient to cover board expenditures. The fee structure has been determined in accordance with new Principles for Fee Development, which are being used to develop fee structures for all boards in the Department of Health Professions. Overall, this will result in an increase in fees for services provided by the board. For example, the renewal fee will increase from \$75 per biennium to \$105 per year. An initial licensure fee of \$65 will be established for first-time licensees. A new flat fee of \$165 for reinstatement of a license lapsed more than one year replaces the requirement to reapply under the current regulations. The amendments also include a fee of \$500 for reinstatement of a license following disciplinary action which resulted in revocation or suspension of a license.*

*Changes to 18 VAC 115-20-40 that were published as proposed regulations on November 22, 1999, do not appear in the final regulation because they have been incorporated with another review that is being finalized in this issue of the Virginia Register. A minor amendment to subsection C of 18 VAC 115-20-100 sets forth a change of address notification requirement for licensees. This amendment was published as a proposed regulation on September 27, 1999, under another review.*

**Summary of Public Comments and Agency's Response:** No public comment was received by the agency.

**Agency Contact:** Copies of the regulation may be obtained from Janet Delorme, Department of Health Professions, 6606 West Broad Street, 4th Floor, Richmond, VA 23230, telephone (804) 662-9575.

**18 VAC 115-20-20. Fees required by the board.**

A. The board has established the following fees applicable to licensure as a professional counselor:

<del>Biennial</del> Annual license renewal	<del>\$75</del> \$105
Initial licensure by examination	\$65
Initial licensure by endorsement	\$65
Duplicate license	<del>\$45</del> \$5
<del>Endorsement</del> Verification of licensure to another jurisdiction	<del>\$40</del> \$25
Late renewal	<del>\$40</del> \$35
Reinstatement of a lapsed license	\$165
Replacement of or additional wall certificate	\$15
Returned check	<del>\$45</del> \$25
Reinstatement following revocation or suspension	\$500

B. Application, registration of supervision and examination Fees shall be paid ~~directly to the board's contracting agents according to their requirements to the board or its contractor or both in appropriate amounts as specified in the application instructions.~~ All fees are nonrefundable.

~~C. All fees are nonrefundable Examination fees shall be determined and made payable as determined by the board.~~

**18 VAC 115-20-100. Biennial Annual renewal of licensure.**

A. All licensees shall renew licenses on or before June 30 of each ~~odd-numbered~~ year.

B. Every license holder who intends to continue to practice shall submit to the board on or before June 30 of each ~~odd-numbered~~ year:

1. A completed application for renewal of the license; and
2. The renewal fee prescribed in 18 VAC 115-20-20.

C. [ Licensees shall notify the board of change of address within 60 days. ] Failure to receive a renewal notice from the board shall not relieve the license holder from the renewal requirement.

**18 VAC 115-20-110. Late renewal; reinstatement.**

A. A person whose license has expired may renew it within ~~four years~~ one year after its expiration date by paying the late fee prescribed in 18 VAC 115-20-20 as well as the license renewal fee prescribed for ~~each biennium~~ the year the license was not renewed.

B. A person who fails to renew a license ~~for four years after one year or more and wishes to resume practice shall reapply and pay the application fee prescribed by the board's contracting agent and take the written examination apply for reinstatement, pay the reinstatement fee for a lapsed license and submit evidence regarding the continued ability to perform the functions within the scope of practice of the license.~~

C. Upon approval for reinstatement, the applicant shall pay the late fee prescribed in 18 VAC 115-20-20 and the license renewal fee prescribed for ~~each biennium~~ the license was not renewed.

**18 VAC 115-20-150. Reinstatement following disciplinary action.**

A. Any person whose license has been revoked, suspended or denied renewal by the board under the provisions of 18 VAC 115-20-140 may, two years subsequent to such board action, submit a new application for reinstatement of licensure.

B. The board in its discretion may, after a hearing, grant the reinstatement sought in subsection A of this section.

C. The applicant for such reinstatement, if approved, shall be licensed upon payment of the appropriate ~~fees~~ fee applicable at the time of reinstatement.

**NOTICE:** The form used in administering 18 VAC 115-20-10 et seq., Regulations Governing the Practice of Professional Counseling, is listed below. The form is available for public inspection at the Board of Licensed Professional Counselors, Marriage and Family Therapists and Substance Abuse Professionals, 6606 W. Broad Street, 4th Floor, Richmond, Virginia, or at the office of the Registrar of Regulations, General Assembly Building, 9th and Broad Streets, 2nd Floor, Richmond, Virginia.

---

# Final Regulations

---

## FORMS

Renewal Notice and Application [~~C-45128~~] (rev. [8/97/2/00]).

VA.R. Doc. No. R99-140; Filed February 23, 2000, 11:38 a.m.

\* \* \* \* \*

**Title of Regulation:** 18 VAC 115-20-10 et seq. **Regulations Governing the Practice of Professional Counseling (amending 18 VAC 115-20-10, [~~18 VAC 115-20-20,~~ 18 VAC 115-20-40, 18 VAC 115-20-50, 18 VAC 115-20-70, [~~18 VAC 115-20-100, 18 VAC 115-20-110,~~] 18 VAC 115-20-130, [ and ] 18 VAC 115-20-140 [ , and ~~18 VAC 115-20-150~~ ] ; adding 18 VAC 115-20-35, 18 VAC 115-20-45, 18 VAC 115-20-49, 18 VAC 115-20-51, and 18 VAC 115-20-52; repealing 18 VAC 115-20-30, 18 VAC 115-20-60, and 18 VAC 115-20-80).**

**Statutory Authority:** §§ 54.1-103, 54.1-2400 and Chapter 35 (§ 54.1-3500 et seq.) of the Code of Virginia.

**Effective Date:** April 12, 2000.

### Summary:

*The amendments establish an endorsement procedure for individuals with lengthy practice in other states. The amendments also update the education requirements based on national accreditation standards and provide for automatic recognition of graduate programs accredited by the two national accrediting bodies for counseling programs. To accommodate students currently enrolled in a degree program, the board has delayed the effective date for the new coursework requirements until April 12, 2002. To reduce the burden of the residency requirement on applicants, the board will now accept group supervision hours as equivalent to individual hours for up to half of the total supervised hours. In addition, two new licensure titles have been added for acceptable supervisors, graduate internship hours meeting certain criteria may be counted toward the residency, and the face-to-face supervision requirement is changed from one hour per week to one hour per 20 hours of work experience. The amendments specify that 2,000 client contact hours be accrued during the 4,000-hour residency in response to frequent requests from applicants for guidance on the expectations of the board. To reduce the financial burden on individuals who wish to renew a license that has lapsed for more than four years, a reapplication alternative to the current cumulative renewal and penalty fee requirement is established. The dual relationship prohibition in the Standards of Practice is amended to specify that sexual relationships with a client are strictly prohibited for five years following the cessation of services. The amendments also include general reformatting of the regulations, eliminating obsolete and unnecessary language, and including new language where needed to clarify requirements.*

*Changes to 18 VAC 115-20-20, 18 VAC 115-20-100, 18 VAC 115-20-110 and 18 VAC 115-20-150 that were published as proposed regulations on September 27,*

*1999, do not appear in the final regulation because they have been incorporated with a fee change that is being published as a separate final regulation in this issue of the Virginia Register. Minor amendments to 18 VAC 115-20-40 are made to conform the language to the fee change that will become effective on the same day.*

**Summary of Public Comments and Agency's Response:** A summary of comments made by the public and the agency's response may be obtained from the promulgating agency or viewed at the office of the Registrar of Regulations.

**Agency Contact:** Copies of the regulation may be obtained from Janet Delorme, Department of Health Professions, 6606 West Broad Street, 4th Floor, Richmond, VA 23230, telephone (804) 692-9575.

### **18 VAC 115-20-10. Definitions.**

A. The following words and terms when used in this chapter shall have the meaning ascribed to them in § 54.1-3500 of the Code of Virginia:

"Appraisal activities"

"Board"

"Counseling"

"Counseling treatment intervention"

"Professional counselor"

B. The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise:

"Applicant" means any individual who has submitted an official application and paid the application fee for licensure as a professional counselor.

~~"Appraisal activities" has the same meaning as defined in § 54.1-3500 of the Code of Virginia, "selecting, administering, scoring and interpreting instruments designed to assess an individual's aptitudes, attitudes, abilities, achievements and interests, and shall not include the use of projective techniques in the assessment of personality."~~

~~"Board" means the Virginia Board for Professional Counselors, Marriage and Family Therapists and Substance Abuse Professionals.~~

"CACREP" means Council for Accreditation of Counseling and Related Educational Programs.

"Candidate for licensure" means a person who has satisfactorily completed all educational and experience requirements for licensure and has been deemed eligible by the board to sit for its examinations.

"Competency area" means an area in which a person possesses knowledge and skill and the ability to apply them in the clinical setting.

~~"Counseling" means assisting an individual, through the counseling relationship, to develop an understanding of personal problems, to define goals, and to plan action reflecting his interests, abilities, aptitudes and needs as they~~

relate to educational progress, occupations and careers, and personal or social concerns.

"CORE" means Council on Rehabilitation Education.

"Exempt setting" means an agency or institution in which licensure is not required to engage in the practice of counseling according to the conditions set forth in § 54.1-3501 of the Code of Virginia.

"Group supervision" means the process of clinical supervision of no more than six persons in a group setting provided by a qualified supervisor.

"Internship" means supervised, planned, practical, advanced experience obtained in the clinical setting, observing and applying the principles, methods and techniques learned in training or educational settings. The internship involves a longer period of time than the practicum.

~~"Practicum" means supervised, planned, practical experience occurring in a clinical setting, for an early introduction to subject matter. It is generally time-bound and for a shorter period of time than an internship, but it allows for demonstration and testing of information, knowledge, and skills acquired.~~

~~"Professional counselor" means a person trained in counseling and guidance services with an emphasis on individual and group guidance and counseling designed to assist individuals in achieving more effective personal, social, educational and career development and adjustment.~~

"Jurisdiction" means a state, territory, district, province or country which has granted a professional certificate or license to practice a profession, use a professional title, or hold oneself out as a practitioner of that profession.

"Nonexempt setting" means a setting which does not meet the conditions of exemption from the requirements of licensure to engage in the practice of counseling as set forth in § 54.1-3501 of the Code of Virginia.

"Regional accrediting agency" means one of the regional accreditation agencies recognized by the United States Secretary of Education responsible for accrediting senior postsecondary institutions.

"Residency" means a post-internship, supervised, clinical experience registered with the board.

"Resident" means an individual who has submitted a supervisory contract and has received board approval to provide clinical services in professional counseling under supervision.

"Supervision" means the ongoing process performed by a supervisor who monitors the performance of the person supervised and provides regular, documented face-to-face consultation, guidance and instruction with respect to the clinical skills and competencies of the person supervised.

## **18 VAC 115-20-30. Substance abuse counseling. (Repealed.)**

~~18 VAC 115-30-10 et seq., Regulations Governing the Certification of Substance Abuse Counselors, are incorporated by reference in this chapter.~~

## **18 VAC 115-20-35. Sex offender treatment provider certification.**

Anyone licensed by the board who is seeking certification as a sex offender treatment provider shall adhere to the Regulations Governing the Certification of Sex Offender Treatment Providers, 18 VAC 125-30-10 et seq.

### **PART II. REQUIREMENTS FOR LICENSURE.**

## **18 VAC 115-20-40. General requirements Prerequisites for licensure by examination.**

~~A. No person shall practice as a professional counselor in the Commonwealth except as provided in this chapter and when licensed by this board.~~

~~B. Licensure by the board shall be by written examination.~~

~~C. Every applicant for licensure examination by the board shall:~~

- ~~1. Meet the education degree program, course work and experience requirements prescribed in 18 VAC 115-20-49, 18 VAC 115-20-50 of this chapter or 18 VAC 115-20-51, and 18 VAC 115-20-52; and~~

- ~~2. Submit the following to the [ board or its ] contracting agent within the time frame established by [ the board or ] that agent:~~

~~a. A completed application;~~

~~b. Official transcripts documenting the applicant's completion of the education degree program and coursework requirements prescribed in 18 VAC 115-20-49 and 18 VAC 115-20-50 A or 18 VAC 115-20-51;~~

~~c. Documented evidence of having fulfilled Verification of Supervision forms documenting fulfillment of the experience requirements of 18 VAC 115-20-50 B 18 VAC 115-20-52 and copies of all required evaluation forms;~~

~~d. Reference letters from three health or mental health care practitioners attesting to the applicant's character and professional integrity. Documentation of any other professional license or certificate ever held in another jurisdiction; and~~

~~e. The [ licensure ] application [ processing and initial licensure ] fee.~~

~~D. The board may license by endorsement an individual who is currently licensed in another state as a professional counselor and who has been licensed in another state through a similar process with equivalent requirements as described in subsections B and C of this section.~~

## **18 VAC 115-20-45. Prerequisites for licensure by endorsement.**

Every applicant for licensure by endorsement shall submit in one package the following:

1. A completed application;
2. The application processing fee;

---

# Final Regulations

---

3. Verification of all professional licenses or certificates ever held in any other jurisdiction. In order to qualify for endorsement the applicant shall have no unresolved action against a license or certificate. The board will consider history of disciplinary action on a case-by-case basis;

4. Documentation of having completed education and experience requirements substantially equivalent to those in effect in Virginia at the time of initial licensure as verified by an official transcript and a certified copy of the original application materials;

5. Verification of a passing score on a licensure examination in the jurisdiction in which licensure was obtained; and

6. [ An ] affidavit of having read and understood the regulations and laws governing the practice of professional counseling in Virginia.

## **18 VAC 115-20-49. Degree program requirements.**

A. The applicant shall have completed a graduate degree from a program that prepares individuals to practice counseling and counseling treatment intervention, as defined in § 54.1-3500 of the Code of Virginia, which is offered by a college or university accredited by a regional accrediting agency and which meets the following criteria:

1. There must be a sequence of academic study with the expressed intent to prepare counselors as documented by the institution;
2. There must be an identifiable counselor training faculty and an identifiable body of students who complete that sequence of academic study; and
3. The academic unit must have clear authority and primary responsibility for the core and specialty areas.

B. Programs that are approved by CACREP or CORE are recognized as meeting the definition of graduate degree programs that prepare individuals to practice counseling and counseling treatment intervention as defined in § 54.1-3500 of the Code of Virginia.

## **18 VAC 115-20-50. ~~Education and experience requirements for licensure examinations. Effective until [ insert date two years after the effective date of this chapter April 12, 2002 ] . Coursework requirements.~~**

~~A. Education. The applicant shall have completed 60 semester hours or 90 quarter hours of graduate study in counseling; to include a graduate degree in counseling or a related discipline, from a college or university accredited by a regional accrediting agency.~~

~~1. The graduate course work shall have included study in the following nine core areas of:~~

- ~~a. 1. Professional identity, function and ethics;~~
- ~~b. 2. Theories of counseling and psychotherapy;~~
- ~~c. 3. Counseling and psychotherapy techniques;~~
- ~~d. 4. Group dynamics, theories, and techniques;~~

~~e. 5. Theories of human behavior, learning, and personality;~~

~~f. 6. Career development;~~

~~g. 7. Appraisal, evaluation and diagnostic procedures;~~

~~h. 8. Abnormal behavior; and~~

~~i. 9. Supervised practicum or internship.~~

~~2. B. One course may satisfy study in more than one of the nine study areas required in subdivision 4 subsection A of this [ subsection section ] .~~

## **18 VAC 115-20-51. Effective [ insert date two years after effective date of this chapter April 12, 2002 ] . Coursework requirements.**

A. The applicant shall have completed 60 semester hours or 90 quarter hours of graduate study in the following core areas with a minimum of three semester hours or 4.5 quarter hours in each of the areas identified in subdivisions 1 through 12 of this subsection:

1. Professional identity, function and ethics;
2. Theories of counseling and psychotherapy;
3. Counseling and psychotherapy techniques;
4. Human growth and development;
5. Group counseling and psychotherapy, theories and techniques;
6. Career counseling and development theories and techniques;
7. Appraisal, evaluation and diagnostic procedures;
8. Abnormal behavior and psychopathology;
9. Multicultural counseling, theories and techniques;
10. Research;
11. Diagnosis and treatment of addictive disorders;
12. Marriage and family systems theory; and
13. Supervised internship of 600 hours to include 240 hours of face-to-face client contact.

B. If 60 graduate hours in counseling were completed prior to [ the effective date of this chapter April 12, 2000 ], the board may accept those hours if they meet the regulations in effect at the time the 60 hours were completed.

## **18 VAC 115-20-52. Residency.**

A. Registration.

1. Applicants who render counseling services in a nonexempt setting shall:

a. With their supervisor, register their supervisory contract on the appropriate forms for board approval before starting to practice under supervision;

b. Have submitted an official transcript documenting a graduate degree as specified in 18 VAC 115-20-49 to include completion of the internship requirement



specified in 18 VAC 115-50-50 or 18 VAC 115-50-51; and

c. Pay the registration fee.

2. Applicants in exempt settings may register supervision with the board to assure acceptability at the time of application.

## B. Supervised experience Residency requirements.

1. The applicant for licensure shall have completed ~~4,000 hours of post-graduate degree experience~~ a 4,000-hour supervised residency in counseling practice under supervision satisfactory to the board. The post-graduate experience shall consist of supervised practice with various populations, clinical problems and theoretical approaches in the following areas:

- [ a. ] Counseling and psychotherapy techniques;
- [ b. ] Appraisal, evaluation and diagnostic procedures;
- [ c. ] Treatment planning and implementation;
- [ d. ] Case management and recordkeeping;
- [ e. ] Professional identity and function; and
- [ f. ] Professional ethics and standards of practice.

~~a. 2. The experience residency shall include a minimum of 200 hours of individual supervision during the 4,000 hours, with a minimum of one hour per week of face-to-face supervision face-to-face sessions between supervisor and applicant. The experience shall be continuous and integrated, that is, no credit will be given for satisfying the 4,000 hours of required experience in the absence of approved individual face-to-face supervision and, conversely, no credit will be given for individual face-to-face supervision that does not occur as a part of the 4,000 hours of post-graduate experience. The experience shall include supervised practice with various populations, clinical problems and theoretical approaches. resident occurring at a minimum of one hour per 20 hours of work experience during the period of the residency. No more than half of these hours may be satisfied with group supervision. One hour of group supervision will be deemed equivalent to one hour of face-to-face supervision. Face-to-face supervision that is not coincident with a residency will not be accepted, nor will residency hours be accrued in the absence of approved face-to-face supervision.~~

~~b. Group supervision will be acceptable for not more than 100 hours of the required 200 hours of individual supervision on the basis of two hours of group supervision being equivalent to one hour of individual supervision, but in no instance shall group supervision substitute for the required on-site individual face-to-face supervision.~~

3. The residency shall include 2,000 hours of face-to-face client contact.

4. A graduate-level internship completed in a program that meets the requirements set forth in 18 VAC 115-20-49 may count for no more than 600 hours of the required

4,000 hours of experience. The internship shall include 20 hours of face-to-face on-site supervision, and 20 hours of face-to-face off-site supervision. In order to count toward the residency, internship hours shall not begin until completion of 30 semester hours toward the graduate degree.

5. A graduate-level degree internship completed in a CACREP- or CORE-approved program in mental health counseling may count for no more than 900 of the required 4,000 hours of experience.

6. In order for [ a any ] graduate-level internship to be counted toward a residency, either the clinical or faculty supervisor shall be licensed as set forth in subsection C of this section.

~~e. 7. The board may consider special requests in the event that the regulations create an undue burden in regard to geography or disability which limits the supervisee's resident's access to qualified supervision.~~

~~d. A post-graduate degree practicum or internship may count for the required 4,000 hours of experience and shall meet the requirements of this section.~~

~~e. 8. For applicants enrolled in an integrated course of study in an accredited institution leading to a graduate degree beyond the master's level, supervised experience may begin after the completion of 30 graduate semester hours or 45 graduate quarter hours, including an internship [ , ] and shall include graduate course work in the nine core areas as prescribed in subdivision A 1 of this section 18 VAC 115-20-50 or 18 VAC 115-20-51.~~

~~f. Applicants 9. Residents may not call themselves professional counselors, solicit clients, directly bill for services rendered, or in any way represent themselves as independent, autonomous practitioners or professional counselors. During the post-graduate supervisory experience, applicants residency, residents shall use their names and the initials of their degree, and the title "Resident in Counseling" in all written communications. Clients shall be informed in writing of the applicant's supervisee resident's status and the supervisor's name, professional address, and phone number.~~

~~g. Applicants 10. Residents shall not engage in practice under supervision in any areas for which they have not had appropriate education.~~

2. C. Supervisory requirements. A person who provides supervision for a prospective applicant for licensure as a resident in professional counselor counseling shall document two years [ of ] post-licensure clinical experience; have received professional training in supervision; and shall be licensed as a professional counselor, psychologist, marriage and family therapist, substance abuse treatment practitioner, school psychologist, clinical psychologist, clinical social worker, or psychiatrist in the jurisdiction where the supervision is being provided. At least one-half of the individual face-to-face supervision shall be rendered by a licensed professional counselor.

---

# Final Regulations

---

~~a- 1. Supervision by any individual whose relationship to the supervisee resident compromises the objectivity of the supervisor is prohibited.~~

~~b- 2. The supervisor of a prospective applicant resident shall assume full responsibility for the clinical activities of that prospective applicant resident specified within the supervisory contract for the duration of the supervised experience. In every instance there shall be an identifiable individual who is appropriately credentialed to provide supervision in the jurisdiction where the applicant provides counseling services residency.~~

~~c. Supervisors shall only be approved to provide supervision in areas for which they possess documented skills, training, and experience.~~

~~d. Supervisors shall provide the contracting agent with documentation regarding their areas of expertise.~~

~~e. At least one half of the required individual face-to-face supervision shall occur on-site where the counseling services are provided and be provided by the board approved supervisor of record.~~

## 3. Registration of supervision.

~~a. Applicants who render counseling services in a nonexempt agency shall:~~

~~(1) With their supervisor, register their supervisory contract on the appropriate forms before starting to practice under supervision;~~

~~(2) Have submitted directly to the contracting agent an official transcript of their relevant coursework in counseling documenting a graduate degree in counseling or a counseling related area and as specified in subsection A of this section; and~~

~~(3) Pay the registration fee.~~

~~b. Applicants who render counseling services in an exempt agency as defined in § 54.1-3500 of the Code of Virginia may register their supervision as outlined above. Board approval and successful completion of a planned supervision arrangement in an exempt setting will assure its acceptability at the time of application.~~

~~c. The board may accept as equivalent post-graduate supervised experience that occurs in another jurisdiction provided that the board's requirements are met.~~

~~3. The supervisor shall complete evaluation forms to be given to the resident at the end of each three-month period.~~

~~4. The supervisor shall report the total hours of residency and shall evaluate the applicant's competency in the six areas stated in [ subsection subdivision ] B [ 1 ] of this section.~~

~~4. D. [ Documentation of supervision. ] a. Applicants shall document successful completion of their supervised experience residency on appropriate forms the Verification of Supervision Form at the time of application. Applicants must receive a satisfactory competency evaluation on each item on~~

~~the evaluation sheet. Supervised experience obtained prior to May 8, 1994, [ April 12, 2000, ] may be accepted toward licensure if this supervised experience met the board's requirements which were in effect at the time the supervision was rendered.~~

~~b. The supervisor shall conduct an annual evaluation of the applicant and report the number of hours of individual face-to-face hours of supervision and an evaluation of the supervisee's progress on appropriate forms.~~

~~At the completion of required supervision hours, applicants shall document completion of their supervised experience on appropriate forms at the time of application. In addition, the supervisor will report the total hours of experience and supervision and will evaluate the applicant's competency in the six areas stated in subdivision B 1 of this section. Applicants must receive a competency evaluation on each item on the evaluation sheet by at least one of their supervisors to meet requirements for satisfactory completion of their supervised experience.~~

## 18 VAC 115-20-60. Character and professional integrity. (Repealed.)

~~If the applicant has been under treatment for substance abuse within the last four years, the applicant shall provide a written statement from the certified or licensed individual responsible for the treatment. The written statement shall address the capability of the applicant to assume the responsibility of a licensed professional counselor.~~

## 18 VAC 115-20-70. General examination requirements; schedules; time limits.

~~A. Every applicant for initial licensure by examination by the board as a professional counselor shall pass a written examination as prescribed by the board.~~

~~B. The board may waive examination requirements if the applicant for licensure has been certified or licensed in another jurisdiction by standards and procedures equivalent to the board's. Every applicant for licensure by endorsement shall have passed a licensure examination in the jurisdiction in which licensure was obtained.~~

~~C. A written examination will be given at least twice each year. The board may schedule such additional examinations as it deems necessary.~~

~~D. C. The contracting agent shall notify all approved candidates in writing of the time and place of the examination.~~

~~E. D. A candidate approved to sit for the examination shall take the examination within two years from the date of such initial approval. If the candidate has not taken the examination by the end of the two-year period here prescribed:~~

~~1. The initial approval to sit for the examination shall then become invalid; and~~

~~2. In order to be considered for the examination later, the applicant shall file a new application with the board's contracting agent.~~

*E. The board shall establish a passing score on the written examination.*

## **18 VAC 115-20-80. ~~Written examination. (Repealed.)~~**

~~A. The written examination will be a competency-based validated examination and shall include, but not be limited to, the core areas of counseling. The written examination shall assess the minimal knowledge, skills and abilities necessary for the practice of professional counseling.~~

~~B. The board will establish a passing score on the written examination.~~

## **18 VAC 115-20-130. Standards of practice.**

A. The protection of the public health, safety, and welfare and the best interest of the public shall be the primary guide in determining the appropriate professional conduct of all persons whose activities are regulated by the board.

B. Persons licensed by the board shall:

1. Practice in a manner that is in the best interest of the public and does not endanger the public health, safety, or welfare.
2. Practice only within the competency areas for which they are qualified by training or experience.
3. Be aware of the areas of competence of related professions and make full use of other professional, technical and administrative resources to secure for clients the most appropriate services.
4. Strive to stay abreast of new developments, concepts and practices which are important to providing appropriate professional services.
5. Be able to justify all services rendered to clients as necessary for diagnostic or therapeutic purposes and attempt to terminate a private service or consulting relationship when it becomes clear that the consumer is not benefiting from the relationship.
6. Not engage in offering services to a client who is receiving services from another mental health professional without attempting to inform such other professionals in order to avoid confusion and conflict for the consumer.
- ~~7. Provide counseling services for the purpose of diagnosis, treatment or personalized advice only in the context of a professional relationship, not by means of public lectures or demonstrations, newspapers or magazine articles, radio or television programs, mail or similar media.~~
- ~~8. Ensure that the welfare of the clients is in no way compromised in any experimentation or research involving those clients.~~
9. 7. Disclose to clients all experimental methods of treatment and inform clients of the risks and benefits of any such treatment. *Ensure that the welfare of the clients is in no way compromised in any experimentation or research involving those clients.*

~~40- 8. Neither accept nor give commissions, rebates, or other forms of remuneration for referral of clients for professional services.~~

~~44- 9. Inform clients of (i) the purposes of an interview, testing or evaluation session and (ii) the ways in which information obtained in such sessions will be used before asking the client to reveal personal information or allowing such information to be divulged.~~

~~42- 10. Consider the validity, reliability and appropriateness of tests selected for use with clients and carefully interpret the performance of individuals from groups not represented in standardized norms.~~

~~43- 11. Represent accurately their competence, education, training and experience.~~

~~44- 12. Use only those educational and professional credentials that have been earned at a college or university accredited by a regional accrediting agency, or by a national certifying agency, and that are counseling in nature. Those credentials include the title "doctor" as well as academic and professional certification designations following one's name, such as M.Ed., Ph.D., N.B.C.C. N.C.C.~~

~~45- 13. Not engage in improper direct solicitation of clients and announce professional services fairly and accurately in a manner which will aid the public in forming their own informed judgments, opinions and choices and which avoids fraud and misrepresentation through sensationalism, exaggeration or superficiality.~~

~~46- 14. Provide clients with accurate information of what to expect in the way of tests, reports, billing, therapeutic regime and schedules before rendering services.~~

~~47- 15. Maintain client records securely, inform all employees of the requirements of confidentiality and provide for the destruction of records which are no longer useful. *Client records shall be disclosed to others only with expressed written consent or as mandated by law. Client confidentiality in the usage of client records and clinical materials shall be ensured by obtaining informed consent from clients before (i) videotaping, (ii) audio recording, (iii) permitting third party observation, or (iv) using client records and clinical materials in teaching, writing or public presentations.* Client records shall be kept for a minimum of five years from the date of termination of the counseling relationship.~~

~~48. Obtain expressed client permission before taping or otherwise recording sessions with clients.~~

~~49. Disclose counseling records to others only with the expressed written consent of the client and ensure the accuracy and indicate the validity of any client information which is disclosed.~~

~~20. Keep confidential their counseling relationships with clients, with the following exceptions: (i) when the client is in danger to self or others; (ii) when the professional counselor is under court order to disclose information; (iii) in cases of suspected child abuse; or (iv) as otherwise required by law.~~

---

# Final Regulations

---

~~21. Never engage in public behavior which is in violation of accepted professional, moral and legal standards.~~

~~22. Never~~ 16. Not engage in dual relationships with clients, former clients, *residents*, supervisees, and supervisors that compromise the client's or ~~supervisee's~~ *resident's* well-being, impair the counselor's or supervisor's objectivity and professional judgment or increase the risk of client or ~~supervisee~~ *resident* exploitation. This includes, but is not limited to, such activities as counseling close friends, former sexual partners, employees or relatives, and engaging in business relationships with clients. Engaging in sexual intimacies with *current* clients or ~~former clients~~ *residents* is strictly prohibited. ~~In the case of supervisees or supervisors, this includes, but is not limited to, engaging in sexual intimacies with current supervisees. For at least five years after cessation or termination of professional services, licensees shall not engage in sexual intimacies with a therapy client or those included in collateral therapeutic services. Since sexual or romantic relationships are potentially exploitative, licensees shall bear the burden of demonstrating that there has been no exploitation. A patient's consent to, initiation of or participation in sexual behavior or involvement with a practitioner does not change the nature of the conduct nor lift the regulatory prohibition.~~

~~23.~~ 17. Recognize conflicts of interest and inform all parties of the nature and directions of loyalties and responsibilities involved.

~~24.~~ 18. Report to the board known or suspected violations of the laws and regulations governing the practice of ~~professional counselors licensed or certified mental health service providers as defined in § 54.1-2400.1 of the Code of Virginia.~~

## 18 VAC 115-20-140. Grounds for revocation, suspension, probation, reprimand, censure, or denial of renewal of license.

~~A. In accordance with §§ 54.1-2400 and 54.1-2401 of the Code of Virginia, the board may, after a hearing, revoke, suspend or decline to renew a board license or impose a fine for just cause.~~

~~B.~~ A. Action by the board to revoke, suspend or decline to renew a license may be taken in accord with the following:

1. Conviction of a felony, or of a misdemeanor involving moral turpitude, *or violation of or aid to another in violating any provision of Chapter 35 (§ 54.1-3500 et seq.) of Title 54.1 of the Code of Virginia, any other statute applicable to the practice of professional counseling, or any provision of this chapter.*
2. Procuring of license by fraud or misrepresentation.
3. Conducting one's practice in such a manner as to make it a danger to the health and welfare of one's clients or to the public, or if one is unable to practice counseling with reasonable skill and safety to clients by reason of illness, abusive use of alcohol, drugs, narcotics, chemicals, or other type of material or result of any mental or physical condition.

4. Negligence in professional conduct or nonconformance with the Standards of Practice (18 VAC 115-20-130 B [ ~~of this chapter~~ ]).

5. Performance of functions outside the demonstrable areas of competency.

~~6. Violation of or aid to another in violating any provision of Chapter 35 of Title 54.1 of the Code of Virginia, any other statute applicable to the practice of professional counseling, or any provision of this chapter.~~

~~C. Petition for rehearing.~~ B. Following the revocation or suspension of a license [ , ] the licensee may petition the board for reinstatement upon good cause shown or as a result of substantial new evidence having been obtained that would alter the determination reached in ~~subsection B of this section.~~

~~D. Reinstatement procedure. Reference powers of board to provide monetary penalties § 54.1-2401 of the Code of Virginia.~~

**NOTICE:** The forms used in administering 18 VAC 115-20-10 et seq., Regulations Governing the Practice of Professional Counseling, are not being published due to the large number of pages; however, the name of each form is listed below. Any amended or added forms are reflected in the listing. The forms are available for public inspection at the Department of Health Professions, 6606 West Broad Street, 4th Floor, Richmond, Virginia, or at the office of the Registrar of Regulations, General Assembly Building, 2nd Floor, Richmond, Virginia.

## FORMS

Renewal Notice and Application (rev. ~~8/97~~ 2/00 ) ).

[ *Quarterly Evaluation Form (eff. 2/00).*

*Verification of Supervision Form (eff. 2/00).*

*Registration of Supervision; Post-Graduate Degree Supervised Experience (eff. 2/00). ]*

VA.R. Doc. No. R97-492; Filed February 23, 2000, 11:33 a.m.

\* \* \* \* \*

**18 VAC 115-30-10 et seq. Regulations Governing the Certification of Substance Abuse Counselors (amending 18 VAC 115-30-30, 18 VAC 115-30-40, 18 VAC 115-30-110, 18 VAC 115-30-120, [ ~~18 VAC 115-30-130,~~ ] and 18 VAC 115-30-160).**

Statutory Authority: §§ 54.1-113 and 54.1-2400 of the Code of Virginia.

Effective Date: April 12, 2000.

Summary:

*The amendments establish a new fee structure to comply with a statutory requirement that fees be sufficient to cover board expenditures. The fee structure has been determined in accordance with new Principles for Fee Development, which are being used to develop fee*

structures for all boards in the Department of Health Professions. Overall, this will result in an increase in fees for services provided by the board. For example, the renewal fee will increase from \$40 per biennium to \$55 per year. An initial licensure fee of \$40 will be established for first-time certificate holders. A new flat fee of \$100 for reinstatement of a certificate lapsed more than one year replaces the requirement to reapply under the current regulations. The amendments also include a fee of \$500 for reinstatement of a certificate following disciplinary action which resulted in revocation or suspension of a certificate.

All sections amended in this regulatory action were affected by a separate regulatory action published in 16:7 VA.R. 776-885 December 20, 1999. Those amendments became effective January 19, 2000. This final regulation has been changed to conform the following sections to those that became effective January 19, 2000. Also, 18 VAC 115-30-130, which was part of the proposed action, was repealed effective January 19, 2000, and therefore, has been removed from this final action. In addition, amendments concerning reinstatement instructions were made to conform this regulation with amendments made to the board's other regulations.

**Summary of Public Comments and Agency's Response:** No public comments were received by the promulgating agency.

**Agency Contact:** Copies of the regulation may be obtained from Janet Delorme, Department of Health Professions, 6606 West Broad Street, 4th Floor, Richmond, VA 23230, telephone (804) 662-9575.

## 18 VAC 115-30-30. Fees required by the board.

A. The board has established the following fees applicable to the certification of substance abuse counselors:

<del>Biennial</del> Annual certification renewal	<del>\$40</del> \$55
Initial certification by examination	\$40
Initial certification by endorsement	\$40
Duplicate certificate	<del>\$45</del> \$5
Late renewal	<del>\$40</del> \$20
Reinstatement of a lapsed certificate	\$100
Replacement of or additional wall certificate	\$15
Returned check	<del>\$45</del> \$25
Reinstatement following revocation or suspension	\$500

~~B. Application, registration of supervision and examination~~  
Fees shall be paid directly to the board's contracting agents according to their requirements to the board or its contractor or both in appropriate amounts as specified in the application instructions. All fees are nonrefundable.

~~C. All fees are nonrefundable~~ Examination fees shall be determined and made payable as determined by the board.

## 18 VAC 115-30-40. Prerequisites for certification by examination.

A. A candidate for certification as a substance abuse counselor shall meet all the requirements of this chapter,

including passing the examination prescribed in 18 VAC 115-30-90.

B. Every prospective applicant for examination for certification by the board shall:

1. Meet the educational and experience requirements prescribed in 18 VAC 115-30-50 and 18 VAC 115-30-60;
2. Submit the following to the board or its contracting agent within the time frame established by the board or that agent:
  - a. A completed application form;
  - b. Official transcript documenting attainment of a high school diploma or general educational development (GED) certificate;
  - c. Official transcripts or certificates verifying completion of the didactic training requirement set forth in subsection B of 18 VAC 115-30-50;
  - d. Verification of supervisor's education and experience as required under 18 VAC 115-30-60;
  - e. Verification of supervision forms documenting fulfillment of the experience requirements of 18 VAC 115-30-60;
  - f. Documentation of any other professional license or certificate ever held in another jurisdiction; and
  - g. ~~Any applicable fees~~ The application processing and initial licensure fee.

## 18 VAC 115-30-110. ~~Biennial~~ Annual renewal of certificate.

A. Every certificate issued by the board shall expire on June 30 of each ~~odd-numbered~~ year.

B. Along with the renewal application, the certified substance abuse counselor shall submit the renewal fee prescribed in 18 VAC 115-30-30.

C. Certified individuals shall notify the board of change of address within 60 days. Failure to receive a renewal notice and application forms shall not excuse the certified substance abuse counselor from the renewal requirement.

## 18 VAC 115-30-120. Reinstatement.

A. A person whose certificate has expired may renew it within ~~four years~~ one year after its expiration date by paying the ~~penalty~~ late renewal fee prescribed in 18 VAC 115-30-30 and the certification fee prescribed for each ~~biennium~~ the year the certificate was not renewed.

B. A person who fails to renew a certificate ~~for four years after one year or more~~ shall [ ~~reapply according to the requirements set forth in 18 VAC 115-30-40 or 18 VAC 115-30-45~~ apply for reinstatement, pay the reinstatement fee for a lapsed license and submit evidence regarding the continued ability to perform the functions within the scope of practice of the license ].

---

# Final Regulations

---

## 18 VAC 115-30-160. Reinstatement following disciplinary action.

A. Any person whose certificate has been revoked, suspended or denied renewal by the board under the provisions of 18 VAC 115-30-150 may, two years subsequent to such board action, submit a new application for reinstatement of certification.

B. The board in its discretion may, after a hearing, grant the reinstatement sought in subsection A of this section.

[ C. The applicant for reinstatement, if approved, shall be certified upon payment of the appropriate fee applicable at the time of reinstatement. ]

**NOTICE:** The forms used in administering 18 VAC 115-30-10 et seq., Regulations Governing the Certification of Substance Abuse Counselors, are not being published; however, the name of each form is listed below. The forms are available for public inspection at the Department of Health Professions, 6606 West Broad Street, Richmond, Virginia, or at the office of the Registrar of Regulations, General Assembly Building, 9th and Broad Streets, 2nd Floor, Richmond, Virginia.

### FORMS

Application for Certification as a Substance Abuse Counselor (rev. 8/99).

Substance Abuse Counselor Verification of Supervision (rev. 8/99).

Renewal Notice and Application [ ~~C-45128~~ ] (rev. [ ~~8/97~~ 2/00 ] ).

VA.R. Doc. No. R99-141; Filed February 23, 2000, 11:35 a.m.

\* \* \* \* \*

**Title of Regulation:** 18 VAC 115-40-10 et seq. Regulations Governing the Certification of Rehabilitation Providers (amending 18 VAC 115-40-20 and 18 VAC 115-40-35; adding 18 VAC 115-40-61).

**Statutory Authority:** §§ 54.1-113 and 54.1-2400 of the Code of Virginia.

**Effective Date:** April 12, 2000.

### Summary:

The amendments establish a new fee structure to comply with a statutory requirement that fees be sufficient to cover board expenditures. The fee structure has been determined in accordance with new Principles for Fee Development, which are being used to develop fee structures for all boards in the Department of Health Professions. Overall, this will result in an increase in fees for services provided by the board. For example, the renewal fee will increase from \$50 per year to \$55 per year. The application fee is being reduced from \$100 to \$90 and includes an initial licensure fee for the average initial licensure period for new licensees. A new flat fee of \$100 for reinstatement of a certificate lapsed more than one year replaces the current requirement to reapply

under the current regulations. The amendments also include a fee of \$500 for reinstatement of a certificate following disciplinary action which resulted in revocation or suspension of a certificate.

**Summary of Public Comments and Agency's Response:** No public comment was received by the agency.

**Agency Contact:** Copies of the regulation may be obtained from Janet Delorme, Department of Health Professions, 6606 West Broad Street, 4th Floor, Richmond, VA 23230, telephone (804) 662-9575.

## 18 VAC 115-40-20. Fees required by the board.

A. The board has established the following fees applicable to the certification of rehabilitation providers:

Application processing	\$100
Initial certification by examination: Processing and initial certification	\$90
Initial certification by endorsement: Processing and initial certification	\$90
Certification renewal	\$50 \$55
Duplicate certificate	\$45 \$5
Late renewal	\$50 \$20
Reinstatement of a lapsed certificate	\$100
Replacement of or additional wall certificate	\$15
Returned check	\$45 \$25
Reinstatement following revocation or suspension	\$500

B. Fees shall be ~~made by check or money order payable to the Treasurer of Virginia and forwarded~~ paid to the board or its contractor or both in appropriate amounts as specified in the application instructions. All fees are nonrefundable.

[ C. ] Examination fees shall be ~~determined and made payable to the examination service and mailed directly to the examination service~~ as determined by the board.

## 18 VAC 115-40-35. Reinstatement.

A. A person whose certificate has expired may renew it within ~~four years~~ one year after its expiration date by paying the renewal fee and the ~~penalty~~ late renewal fee prescribed in 18 VAC 115-40-20.

B. A person who fails to renew a certificate for ~~four years~~ one year or more shall ~~reapply according to the requirements of the regulations in effect at that time~~ apply for reinstatement, pay the reinstatement fee and submit evidence regarding the continued ability to perform the functions within the scope of practice of the certification.

## 18 VAC 115-40-61. Reinstatement following disciplinary action.

A. Any person whose certificate has been revoked, suspended or denied renewal by the board under the provisions of 18 VAC 115-40-50 must submit a new application for reinstatement of certification.

B. The board in its discretion may, after a hearing, grant the reinstatement sought in subsection A of this section.

C. The applicant for such reinstatement, if approved, shall be certified upon payment of the appropriate fee applicable at the time of reinstatement.

**NOTICE:** The forms used in administering 18 VAC 115-40-10 et seq., Regulations Governing the Certification of Rehabilitation Providers, are listed below. The forms are available for public inspection at the Board of Licensed Professional Counselors, Marriage and Family Therapists and Substance Abuse Treatment Professionals, 6606 W. Broad Street, 4th Floor, Richmond, Virginia, or at the office of the Registrar of Regulations, General Assembly Building, 9th and Broad Streets, 2nd Floor, Richmond, Virginia.

## FORMS

*Application for Certification as a Rehabilitation Provider, CRPAPP 1 (rev. 10/99).*

General Information for Certification as a Rehabilitation Provider, (eff. 3/98).

~~Application for Certification as a Rehabilitation Provider, Form 1, 3/98.~~

Verification of Experience for Rehabilitation Provider Certification, Form 2, (eff. 3/98).

Rehabilitation Provider Verification of Licensure/Certification, Form 3, (eff. 3/98).

Licensure/Certification Verification of Out-of-State Supervisor, Form 4, (eff. 3/98).

Renewal Notice and Application [ 7 ] ~~C-46454~~ [ ~~C-45128~~ ] (rev. 7/97 [ 8/97 2/00 ] ).

VA.R. Doc. No. R99-142; Filed February 23, 2000, 11:37 a.m.

\*\*\*\*\*

**Title of Regulation:** 18 VAC 115-50-10 et seq. Regulations Governing the Practice of Marriage and Family Therapists (amending 18 VAC 115-50-20, 18 VAC 115-50-30, 18 VAC 115-50-40, 18 VAC 115-50-90, and 18 VAC 115-50-100; adding 18 VAC 115-50-130).

**Statutory Authority:** §§ 54.1-113 and 54.1-2400 of the Code of Virginia.

**Effective Date:** April 12, 2000.

*The board has adopted a new fee structure to comply with a statutory requirement that fees be sufficient to cover board expenditures. The fee structure has been determined in accordance with new Principles for Fee Development, which are being used to develop fee structures for all boards in the Department of Health Professions. Overall, this will result in an increase in fees for services provided by the board. For example, the renewal fee will increase from \$75 per biennium to \$105 per year. The current application processing fee of \$50 is being replaced by an initial licensure fee of \$140 to cover application review and initial licensure for first-time licensees. A new flat fee of \$165 for reinstatement of a license lapsed more than one year replaces the requirement to reapply under the current regulations. The regulation also includes a fee of \$500 for reinstatement of a license following disciplinary action which resulted in revocation or suspension of a license.*

**Summary of Public Comments and Agency's Response:** No public comments were received by the promulgating agency.

**Agency Contact:** Copies of the regulation may be obtained from Janet Delorme, Department of Health Professions, 6606 West Broad Street, 4th Floor, Richmond, VA 23230, telephone (804) 662-9575.

## 18 VAC 115-50-20. Fees.

A. The board has established fees for the following:

1. Registration of supervision	\$20 \$50
<del>2. Application processing</del>	<del>\$50</del>
Add or change supervisor	\$ 25
Initial licensure by examination: Processing and initial licensure	\$140
Initial licensure by endorsement: Processing and initial licensure	\$140
<del>3. Biennial</del> Annual license renewal	<del>\$75</del> \$105
4. Penalty for late renewal	\$40 \$35
Reinstatement of a lapsed license	\$165
5. Verification of license to another jurisdiction	\$40 \$25
6. Additional or replacement licenses	\$45 \$5
7. Additional or replacement wall certificates	\$15
8. Returned check	\$45 \$25
Reinstatement following revocation or suspension	\$500

B. Fees shall be paid ~~by check or money order made payable to the Treasurer of Virginia and forwarded to the board or its contractor or both in appropriate amounts as specified in the application instructions.~~ All fees are nonrefundable.

C. Examination fees shall be ~~paid directly to the examination service according to its requirements determined and made payable as determined by the board.~~

## 18 VAC 115-50-30. Application for licensure by examination.

Every applicant for examination for licensure by the board shall:

1. Meet the education and experience requirements prescribed in 18 VAC 115-50-50, 18 VAC 115-50-55 and 18 VAC 115-50-60.
2. Submit to the board office in one package, the following items, not less than 90 days prior to the date of the examination:
  - a. A completed application;
  - b. The application processing and initial licensure fee prescribed in 18 VAC 115-50-20;
  - c. Documentation, on the appropriate forms, of the successful completion of the residency requirements of 18 VAC 115-50-60 along with documentation of the supervisor's out-of-state license where applicable;
  - d. Official transcript or transcripts in the original sealed envelope with the registrar's signature across the sealed envelope flap submitted from the appropriate institutions of higher education directly to the applicant,

---

# Final Regulations

---

verifying satisfactory completion of the education requirements set forth in 18 VAC 115-50-50 and 18 VAC 115-50-55. Previously submitted transcripts for registration of supervision do not have to be resubmitted; and

e. Verification on a board-approved form that any out-of-state license, certification or registration is in good standing.

## **18 VAC 115-50-40. Application for licensure by endorsement.**

Every applicant for licensure by endorsement shall submit in one package:

1. A completed application;
2. The application *processing and initial licensure* fee prescribed in 18 VAC 115-50-20; and
3. Documentation of licensure as follows:
  - a. Documentation of a current marriage and family therapy license in good standing obtained by standards substantially equivalent to those outlined in 18 VAC 115-50-50, 18 VAC 115-50-55, 18 VAC 115-50-60 and 18 VAC 115-50-70 as verified by a current official transcript and certified copy of the original application materials; or
  - b. If currently holding an unrestricted license as a professional counselor in Virginia, documentation of successful completion of the requirements set forth in 18 VAC 115-50-50, 18 VAC 115-50-55 and 18 VAC 115-50-60.

## **18 VAC 115-50-90. Biennial Annual renewal of license.**

A. All licensees shall renew licenses on or before June 30 of each [ ~~odd-numbered~~ ] year.

B. All licensees who intend to continue to practice shall on or before [ the expiration date of the license ~~June 30 of each year~~ ] submit to the board:

1. A license renewal application supplied by the board; and
2. The renewal fee prescribed in 18 VAC 115-50-20.

C. Failure to receive a renewal notice from the board shall not relieve the license holder from the renewal requirement.

D. Licensees shall provide the board with official documentation of a legal name change and written notification of address changes within 90 days of such change.

## **18 VAC 115-50-100. Late renewal, reinstatement.**

A. An individual whose license has expired may renew it within ~~five years~~ *one year* after its expiration date by paying the penalty fee prescribed in 18 VAC 115-50-20 as well as the license fee prescribed for ~~each renewal~~ *the period* the license was not renewed.

B. An individual seeking reinstatement of a license ~~five years~~ *one year* or more after its expiration date must ~~reapply according to the requirements of the regulations in effect at~~

~~that time~~ *apply for reinstatement, pay the reinstatement fee and submit evidence regarding the continued ability to perform the functions within the scope of practice of the license.*

## **18 VAC 115-50-130. Reinstatement following disciplinary action.**

A. Any person whose license has been revoked, suspended or denied renewal by the board under the provisions of 18 VAC 115-20-140 may, two years subsequent to such board action, submit a new application for reinstatement of licensure.

B. The board in its discretion may, after a hearing, grant the reinstatement sought in subsection A of this section.

C. The applicant for such reinstatement, if approved, shall be licensed upon payment of the appropriate fee applicable at the time of reinstatement.

**NOTICE:** The forms used in administering 18 VAC 115-50-10 et seq., Regulations Governing the Practice of Marriage and Family Therapists, are not being published due to the large number; however, the name of each form is listed below. The forms are available for public inspection at the Board of Licensed Professional Counselors, Marriage and Family Therapists and Substance Abuse Treatment Professionals, 6606 W. Broad Street, 4th Floor, Richmond, Virginia, or at the office of the Registrar of Regulations, General Assembly Building, 9th and Broad Streets, 2nd Floor, Richmond, Virginia.

### FORMS

Marriage and Family Therapist Licensure Application, MFTAPP1 (rev. [ ~~7/99~~ 2/00 ] ).

Licensure Verification of Applicant, MFTAPP2 (rev. 7/99).

Verification of Supervision for Marriage and Family Therapist Licensure, MFTAPP3 (rev. 7/99).

Quarterly Evaluation Form, MFTAPP 3B (eff. 8/99).

Licensure Verification of Out-of-State Supervisor, MFTAPP4 (rev. 7/99).

Courses Outline Form for Marriage and Family Therapist Licensure, MFTAPP5 (eff. 7/97).

Verification of Internship, MFTAPP6 (eff. 8/99).

Verification of Internship Hours Toward the Residency, MFTAPP7 (eff. 8/99).

Registration of Supervision for Marriage and Family Therapist Licensure, MFTREG1 (rev. [ ~~8/99~~ 2/00 ] ).

Renewal Notice and Application [ ~~C-45128~~ ] (rev. [ ~~8/97~~ 2/00 ] ).

Supervision Outline Form for Marriage and Family Therapist Endorsement Applicants, MFTAPP8 (eff. 12/99).

VA.R. Doc. No. R99-143; Filed February 23, 2000, 11:37 a.m.



## BOARD OF PSYCHOLOGY

**Title of Regulation:** 18 VAC 125-20-10 et seq. Regulations Governing the Practice of Psychology (amending 18 VAC 125-20-30 [ and , ] 18 VAC 125-20-130 [ and 18 VAC 125-20-170 ] ).

**Statutory Authority:** §§ 54.1-113 and 54.1-2400 of the Code of Virginia.

**Effective Date:** April 12, 2000.

### Summary:

*The amendments establish a new fee structure to comply with a statutory requirement that fees be sufficient to cover board expenditures. The fee structure has been determined in accordance with new Principles for Fee Development, which are being used to develop fee structures for all boards in the Department of Health Professions. Overall, this will result in an increase in fees for services provided by the board. For example, the renewal fee will increase from \$200 to \$225 per biennium. An additional section is amended in the final action to reflect a new fee for reinstatement following revocation or suspension of a license.*

**Summary of Public Comments and Agency's Response:** No public comments were received by the promulgating agency.

**Agency Contact:** Copies of the regulation may be obtained from Janet Delorme, Department of Health Professions, 6606 West Broad Street, 4th Floor, Richmond, VA 23230, telephone (804) 662-9575.

### 18 VAC 125-20-30. Fees required by the board.

A. The board has established fees for the following:

- |   |                        |
|---|------------------------|
| 1. Registration of residency (per residency request)                      | <del>\$400</del> \$50  |
| 2. Add or change supervisor   | \$25                   |
| <del>2-</del> 3. Application processing and initial licensure             | <del>\$150</del> \$200 |
| <del>3-</del> 4. Biennial renewal of license                              | <del>\$200</del> \$225 |
| 4. 5. Late renewal  | <del>\$40</del> \$80   |
| <del>5-</del> 6. Verification of license to another jurisdiction          | <del>\$40</del> \$25   |
| 7. Duplicate license  | \$5                    |
| <del>6-</del> 8. Additional or replacement license or wall certificate    | \$15                   |
| <del>7-</del> 9. Returned check   | <del>\$15</del> \$25   |
| <del>8-</del> <del>Review fee</del> 10. Reinstatement of a lapsed license | <del>\$25</del> \$270  |
| 11. Reinstatement following revocation or suspension                      | \$500                  |

B. Fees shall be paid by check or money order made payable to the Treasurer of Virginia and forwarded to the board. All fees are nonrefundable.

C. Examination fees shall be paid ~~directly to the examination service according to its requirements established and made payable as determined by the board.~~

### 18 VAC 125-20-130. Late renewal; reinstatement.

A. A person whose license has expired may renew it within two years after its expiration date by paying the penalty fee prescribed in 18 VAC 125-20-30 and the license renewal fee for the biennium the license was not renewed.

B. A person whose license has not been renewed for two years or more and who wishes to resume practice shall:

1. Present evidence satisfactory to the board regarding continued competency to perform the duties regulated by the board;
2. Upon approval for reinstatement, pay the ~~penalty fee and the license fee for the renewal period the license was not renewed, as prescribed by the board and pay a review~~ reinstatement fee as prescribed in 18 VAC 125-20-30; and
3. Submit verification of any professional certification or licensure obtained in any other jurisdiction subsequent to the initial application for licensure.

### [ 18 VAC 125-20-170. Reinstatement following disciplinary action.

A. Any person whose license has been revoked by the board under the provisions of 18 VAC 125-20-160 may, two years subsequent to such board action, submit a new application to the board for *reinstatement* of licensure. The board in its discretion may, after a hearing, grant the reinstatement.

B. *The applicant for such reinstatement, if approved, shall be licensed upon payment of the appropriate fee applicable at the time of reinstatement. ]*

**NOTICE:** The forms used in administering 18 VAC 125-20-10 et seq., Regulations Governing the Practice of Psychology, are not being published due to the large number; however, the name of each form is listed below. The forms are available for public inspection at the Department of Health Professions, 6606 West Broad Street, Richmond, Virginia, or at the office of the Registrar of Regulations, General Assembly Building, 9th and Broad Streets, 2nd Floor, Richmond, Virginia.

### FORMS

Psychologist Application for Licensure by Examination, PSYEX1 (rev. ~~6/99~~ [ ~~40/99~~ 2/00 ] ).

Registration of Residency – Post-Graduate Degree Supervised Experience, PSY2 (rev. ~~6/99~~ [ ~~40/99~~ 2/00 ] ).

Psychologist Application for Licensure by Endorsement, PSYEN1 (eff. ~~6/99~~ rev. [ ~~40/99~~ 2/00 ] ).

[ *Psychologist Application for Reinstatement of a Lapsed License, PSYREIN (eff. 2/00).*

*Psychologist Application for Reinstatement Following Disciplinary Action, PSYREDISC (eff. 2/00). ]*

---

# Final Regulations

---

Verification of Post-Degree Supervision, PSY3 (rev. 6/99).

Internship Verification, PSY4 (rev. 6/99).

Licensure/Certification Verification, PSY5 (rev. 6/99).

Areas of Graduate Study, PSY6 (rev. 6/99).

Renewal Notice and Application [ ~~C-45128~~ ] (rev. [ ~~8/97~~  
2/00 ] ).

VA.R. Doc. No. R99-144; Filed February 16, 2000, 11:52 a.m.



---

## GUIDANCE DOCUMENTS

---

Chapter 11 of the 1997 Acts of Assembly requires annual publication in the *Virginia Register* of guidance document lists from state agencies covered by the Administrative Process Act (§ 9-6.14:1 et seq.) and the Virginia Register Act (§ 9-6.15 et seq.). A guidance document is defined as "...any document developed by a state agency or staff that provides information or guidance of general applicability to the staff or public to interpret or implement statutes or the agency's rules or regulations..." Agencies are required to maintain a complete, current list of all guidance documents and make the full text of such documents available to the public.

Generally, the format for the guidance document list is: document number (if any), title of document, date issued or last revised, and citation of Virginia Administrative Code regulatory authority or Code of Virginia statutory authority. Questions concerning documents or requests for copies of documents should be directed to the contact person listed by the agency.

### CHESAPEAKE BAY LOCAL ASSISTANCE DEPARTMENT

Copies of the following documents may be viewed during regular work days from 8:30 a.m. until 5 p.m. in the office of the Chesapeake Bay Local Assistance Department, 805 East Broad Street, Suite 701, Richmond, VA 23219. Copies of these documents may be obtained for the costs indicated by contacting the department at the above address, telephone (804) 225-3440 or FAX (804) 225-3447. Unless a specific cost is indicated, the cost will be at the rate of \$0.05 per page for copying, plus the mailing cost. If someone desires to view one or more of these documents at the department's office, please provide at least 24 hours notice of the desired time of the visit.

Questions regarding interpretation or implementation of these documents may be directed to Scott Crafton, Regulatory Coordinator, Chesapeake Bay Local Assistance Department, 805 East Broad Street, Suite 701, Richmond, VA 23219, telephone (804) 371-7503, FAX (804) 225-3447 or e-mail [scrafton@cblad.state.va.us](mailto:scrafton@cblad.state.va.us).

#### Guidance Documents:

#### Attorney General Opinions:

1989 Atty. Gen. Ann. Rep, at 32 (to Delegate John G. Dicks, III, regarding vested rights), October 19, 1989, § 10.1-2115, 6 pages

1990 Atty. Gen. Ann. Rep, at 33 (to Prince William County Attorney Sharon E. Pandak, regarding septic system requirements), August 10, 1990, 9 VAC 10-20-120 7, 3 pages

1991 Atty. Gen. Ann. Rep, at 31 (to Delegate John C. Watkins, regarding grandfathering), June 28, 1991, § 10.1-2115, 4 pages

1991 Atty. Gen. Ann. Rep, at 36 (to Delegate George F. Allen, regarding unconstitutional taking of agricultural land), July 2, 1991, 9 VAC 10-20-130 B 4, 6 pages

#### Board Policies:

Board Determination of Consistency Regarding Local Designation of RMA, July 24, 1991, 9 VAC 10-20-90, free

Board Determination of Consistency Regarding Local Designation of Resource Protection Areas, February 1992, 9 VAC 10-20-80, free

Local Program Consistency Review Policy, amended September 1997, 9 VAC 10-20, free

#### Manuals/Handbooks/Brochures/Checklists/Studies:

Study of the Costs of Complying with the Chesapeake Bay Preservation Act Regulations, February 1992, 9 VAC 10-20, free

Local Assistance Manual, revised August 1991, 9 VAC 10-20, \$16 without binder, \$30 with custom D-Ring binder

Chesapeake Bay Preservation Area Overlay District Model Ordinance, 1990, 9 VAC 10-20, free

Field Office Technical Guide (FOTG) of the U.S. Department of Agriculture, Natural Resource Conservation Service, parts revised continually, 9 VAC 10-20-120 9. The FOTG is a loosely organized set of technical references, including some information unique to each local or regional U.S.D.A. Service Center. The principle section of concern for the Bay Act regulatory program is the "Conservation Operation Technical Standards," an up-to-date copy of which may be viewed at the CBLAD office in Richmond (see address above). Copies of specific standards or sections may be obtained at no cost from the nearest or otherwise appropriate Service Center. These Service Centers can be identified and contacted through information provided in the blue pages of local telephone books

National Soil Survey Handbook, Title 430-VI of the U.S. Department of Agriculture, Natural Resource Conservation Service, revised November 1996, 9 VAC 10-20, available at no cost from the U.S.D.A. - Natural Resource Conservation Service, National Soil Survey Center, 100 Centennial Mall North, Lincoln, NE 68508-3866 (contact Gary Muckel, telephone (402) 437-4148), or via the Internet at <http://www.statlab.iastate.edu/soils/nssc>

Forestry Best Management Practices for Water Quality in Virginia: Technical Guide of the Virginia Department of Forestry, revised January 1997, 9 VAC 10-20-120 10, free, available from the Virginia Department of Forestry, Attn.: Michael Foreman, Fontaine Research Park, 900 Natural Resource Drive, P.O. Box 3758, Charlottesville, VA 22903-0758, telephone (804) 977-6555

Virginia Erosion and Sediment Control Handbook, revised 1992, 9 VAC 10-20-120.6, \$25, available from the Virginia Department of Conservation and Recreation, Division of Soil and Water Conservation, 203 Governor Street, Suite 206, Richmond, VA 23219, telephone (804) 786-2064

---

## Guidance Documents

---

Department Checklist used to evaluate the consistency of locally adopted ordinances with the Chesapeake Bay Preservation Act and CBLAB Regulations, § 10.1-2109 B, free

Department Checklist used to evaluate the consistency of locally proposed or adopted Comprehensive Plans, January 1992, § 10.1-2109 B, free

Brochure, 4 pages, Virginia's Bay Act Program, § 10.1-2100, free

Brochure, 16 pages, A Guide to the Bay Act, 9 VAC 10-20, free

Brochure, 4 pages, Factual Answers to Bay Act Misconceptions, 9 VAC 10-20, free

### Information Bulletins:

Information Bulletin 4 (Redevelopment), 9 VAC 10-20-130 A, 9 VAC 10-20-130 B 3, 9 VAC 10-20-150 A, free

Information Bulletin 5 (Buffer Areas), 9 VAC 10-20-60, 9 VAC 10-20-80 B 5, 9 VAC 10-20-110 B, free

Information Bulletin 6 (RPA Wetlands Designation), 9 VAC 10-20-60, 9 VAC 10-20-80 B 2, free

Information Bulletin 7 (BMPs in Resource Protection Areas), 9 VAC 10-20-120 8 a 1, 9 VAC 10-20-120 8 a 2, 9 VAC 10-20-130 B, free

Information Bulletin 8 (Agriculture Buffer Area Requirements), 9 VAC 10-20-120 9, 9 VAC 10-20-130 B 4, free

Information Bulletin 9 (Equivalent Stormwater Management Programs), 9 VAC 10-20-120 8, free

Information Bulletin 10 (Buffer Area Modifications), 9 VAC 10-20-130 B, free

Information Bulletin 11 (Silvicultural Operations in Chesapeake Bay Preservation Areas), 9 VAC 10-20-120 10, free

Information Bulletin 12 (Agricultural Activities Within Resource Protection Areas), 9 VAC 10-20-130 A, 9 VAC 10-20-130 B, 9 VAC 10-20-160, free

### Specific Agricultural Criteria Guidance:

Letter to Virginia Farm Bureau regarding agricultural buffer requirements, September 11, 1990, 9 VAC 10-20-130 B, 3 pages

Agricultural Water Quality Program Guidance Memorandum #1, January 1993, 9 VAC 10-20-120 9, 8 pages

Letter to the Virginia Farm Bureau regarding agricultural buffer requirements and whether agricultural conservation plan documents are subject to FOIA requirements, May 6, 1993, 9 VAC 10-20-130 B, 2 pages

Letter to Eastern Shore SWCD regarding BMPs within the buffer, June 5, 1997, 9 VAC 10-20-130 B, 4 pages

Letter to Tidewater Virginia SWCDs regarding what constitutes a complex plan, July 2, 1997, 9 VAC 10-20-120 9, 2 pages

Guidance for Completing the CBPA Agricultural Program Status Summary Form, included with FY-1998 district financial grant agreements, July 1997, 9 VAC 10-20-120 9, 3 pages

### General Programmatic Guidance:

Letter to Tidewater Virginia local government and planning district administrators, November 22, 1989, regarding interpretation of interim application of certain criteria in the regulations, 9 VAC 10-20, 3 pages

Letter to State Health Commissioner, April 18, 1990, regarding VDH issuance of septic system permits consistent with CBLAB regulations, 9 VAC 10-20-120 7, 3 pages

Letter to Northern Virginia Planning District Commission, July 17, 1990, regarding bicycle paths in RPAs, 9 VAC 10-20-150 C, 1 page

Letter to the City of Williamsburg, September 5, 1990, regarding interpretation of stream perennality, 9 VAC 10-20-80, 2 pages

Letter to the Town of Vienna, December 11, 1990, regarding tributary streams and RPA designations, 9 VAC 10-20-130, 1 page

Letter to Northumberland County, May 2, 1991, regarding application of performance criteria in the RPA, 9 VAC 10-20-130, 3 pages

Letter to the City of Fairfax, July 3, 1991, regarding limited RMA designation, 9 VAC 10-20-90, 2 pages

Letter to Accomack County, November 6, 1991, regarding onsite perennial stream delineations, 9 VAC 10-20-110 B, 4 pages

Letter to the Town of Clifton, March 26, 1992, regarding RPA, RMA and General Criteria questions, 9 VAC 10-20-120, 3 pages

Letter to Tidewater Local Governments, April 1, 1992, regarding compliance of silvicultural operations with local Chesapeake Bay Preservation Area Ordinances, 9 VAC 10-20-120 B 10, 2 pages

Letter to the City of Norfolk, July 16, 1992, regarding patios and accessory structures in RPAs, 9 VAC 10-20-130, 2 pages

Letter to Richard S. Browner of Virginia Beach, September 23, 1992, regarding state agency compliance with the regulations, 9 VAC 10-20, 1 page

Letter to Lancaster County, October 1, 1992, regarding local program buffer encroachment policy, 9 VAC 10-20-130, 3 pages

Letter to the Town of Kilmarnock, October 9, 1992, regarding the public road exemption from RPA requirements, 9 VAC 10-20-150 B, 2 pages

Letter to Westmoreland County, October 28, 1992, regarding buffer encroachment interpretation, 9 VAC 10-20-130, 2 pages

Letter to Westmoreland County, October 28, 1992, regarding buffer requirements and buffer equivalency for new lots, 9 VAC 10-20-130, 2 pages

Letter to Westmoreland County, October 28, 1992, regarding garages in the seaward 50 feet of the buffer area, 9 VAC 10-20-130, 2 pages

Letter to Mathews County, December 16, 1993, regarding septic system criteria, 9 VAC 10-20-120 7, 2 pages

Letter to Fairfax County, April 2, 1993, regarding site-specific RPA wetland delineations, 9 VAC 10-20-110 B, 1 page

Letter to James City County, June 2, 1993, regarding RPA designation and new marina basin, 9 VAC 10-20-80, 2 pages

Letter to Town of Eastville, August 27, 1993, regarding site-specific RPA delineation, 9 VAC 10-20-110 B, 3 pages

Letter to Fairfax County, January 12, 1994, regarding reserve drainfield requirements on existing lots, 9 VAC 10-20-120 7, 3 pages

Letter to Mathews County, January 31, 1994, regarding the effect of creating or restoring RPA features on the original RPA designation, 9 VAC 10-20-80, 3 pages

Letter to the Town of Smithfield, April 5, 1994, regarding the inclusion of nontidal wetlands along intermittent streams as part of RPA, 9 VAC 10-20-80, 3 pages

Letter to Westmoreland County, June 16, 1994, regarding buffer encroachments, 9 VAC 10-20-130, 2 pages

Letter to Richmond County, September 14, 1994, regarding local authority to regulate docks and piers, 9 VAC 10-20-210, 2 pages

Letter to the City of Norfolk, September 20, 1994, regarding the interpretation of "planning areas" for stormwater management planning, 9 VAC 10-20-120 8, 2 pages

Letter to Department of Environmental Quality, December 9, 1994, regarding delineation of RPA adjacent to new marina basin, 9 VAC 10-20-80, 2 pages

Letter to Henrico County, January 30, 1995, regarding site-specific delineation of RPA, 9 VAC 10-20-110 B, 3 pages

Letter to Lancaster County, January 31, 1995, regarding buffer encroachment, 9 VAC 10-20-130, 2 pages

Letter to Virginia Department of Health, September 12, 1995, regarding septic pump-out provision for small spray irrigation systems, 9 VAC 10-20-120 7, 2 pages

Letter to Fairfax County, October 2, 1995, regarding status of in-stream ponds as related to perenniality, 9 VAC 10-20-80, 2 pages

Letter to Town of Ashland, November 30, 1995, regarding designation of "other lands" as RPA, 9 VAC 10-20-80 4, 2 pages

Letter to Mathews County, December 6, 1995, regarding buffer modifications due to "loss of a buildable area," 9 VAC 10-20-130 B, 3 pages

Letter to Mathews County, February 7, 1996, regarding the location of septic systems within RPAs, 9 VAC 10-20-130 A, 2 pages

Letter to Mathews County, February 14, 1996, regarding application of septic system reserve drainfield requirement, 9 VAC 10-20-120 7, 1 page

Letter to Northampton County, March 7, 1996, regarding septic system pumpout requirements, 9 VAC 10-20-120 7, 2 pages

Letter to Chesterfield County, April 24, 1996, regarding buffer encroachments and equivalency, 9 VAC 10-20-130, 5 pages

Letter to King George County, December 6, 1996, regarding reasonable building area for lots recorded prior to October 1, 1989, 9 VAC 10-20-130 B, 2 pages

Letter to King George County, December 17, 1996, regarding reasonable building area for lots recorded prior to October 1, 1989 and meaning of "to the maximum extent possible," 9 VAC 10-20-130, 2 pages

Letter to Town of Ashland, December 17, 1996, regarding RPA delineation around pond with perennial outflow, 9 VAC 10-20-80.5, 2 pages

Letter to York County, April 7, 1997, regarding buffer requirement clarifications, 9 VAC 10-20-130, 2 pages

Letter to the City of Virginia Beach, April 22, 1997, regarding buffer requirement clarifications, 9 VAC 10-20-130, 3 pages

Letter to Caroline County, April 24, 1997, regarding buffer encroachments and related exceptions, 9 VAC 10-20-130, 2 pages

Letter to the Town of Smithfield, April 29, 1997, regarding fences within RPA buffers, 9 VAC 10-20-130, 1 page

Letter to the City of Suffolk, May 2, 1997, regarding buffer requirement clarifications, 9 VAC 10-20-130, 2 pages

Letter to the City of Portsmouth, May 6, 1997, regarding buffer variance conditions, 9 VAC 10-20-130 B, 2 pages

Letter to Northumberland County, May 6, 1997, regarding clarification of buffer encroachment language, 9 VAC 10-20-130 B, 2 pages

Letter to Gloucester County, May 16, 1997, regarding maximum buffer encroachment over time, 9 VAC 10-20-130, 2 pages

Letter to Chesapeake Bay Foundation, July 3, 1997, regarding RPA buffer and permitted encroachments, 9 VAC 10-20-130 B, 4 pages

Letter to City of Alexandria, August 4, 1997, regarding RPA buffers and permitted encroachments, 9 VAC 10-20-130 B, 2 pages

Letter to J. Donald Cotter of Ruther Glen, Virginia, September 18, 1997, regarding accessory uses within the buffer, 9 VAC 10-20-130 B, 2 pages

Letter to J. Donald Cotter of Ruther Glen, Virginia, October 7, 1997, regarding application of regulations to homeowner

---

## Guidance Documents

---

associations who make approvals of projects, 9 VAC 10-20-10, 4 pages

Letter to Mathews County, October 27, 1997, regarding accessory structures within RPAs, 9 VAC 10-20-130, 4 pages

Letter to the City of Portsmouth, October 29, 1997, regarding buffer exceptions and variances to "lot of record" status, 9 VAC 10-20-130 B, 1 page

Letter to J. Donald Cotter of Ruther Glen, Virginia, October 29, 1997, regarding application of regulations to homeowner associations who make approvals of projects, 9 VAC 10-20-10, 1 page

Letter to King George County, December 5, 1997, regarding buffer requirement clarification, 9 VAC 10-20-130 B, 2 pages

Letter to Westmoreland County, December 30, 1997, regarding buffer exceptions for accessory structures, 9 VAC 10-20-130, 3 pages

Letter to Mathews County, January 15, 1998, regarding nonconforming structures, 9 VAC 10-20-150 A, 1 page

Letter to Town of Smithfield, February 3, 1998, regarding RPA boundaries depicted on development plans, 9 VAC 10-20-80 B, 2 pages

Letter to Accomack County, February 23, 1998, regarding reasonable buildable area for lots recorded prior to October 1, 1989, 9 VAC 10-20-130 B, 2 pages

Letter to Mathews County, April 6, 1998, regarding expansion of nonconforming structures, 9 VAC 10-20-150 A, 2 pages

Letter to Accomack County, April 13, 1998, regarding buffer encroachments and related exceptions, 9 VAC 10-20-130, 3 pages

Letter to King and Queen County, April 27, 1998, regarding site specific delineation of RPAs, 9 VAC 10-20-110 B, 2 pages

Letter to Caroline County, May 11, 1998, regarding onsite RPA delineation, 9 VAC 10-20-110 B, 2 pages

Letter to Middlesex County, June 12, 1998, regarding buffer modifications, 9 VAC 10-20-130 B, 2 pages

Letter to Charles City County, July 16, 1998, regarding lots recorded prior to October 1, 1989, with sufficient area for principle structure, 9 VAC 10-20-130 B 2, 1 page

Letter to Caroline County, July 24, 1998, regarding agricultural buffer requirements and agricultural uses, 9 VAC 10-20-130 B, 2 pages

Letter to the City of Newport News, July 28, 1998, regarding buffer requirement clarification, 9 VAC 10-20-130 B, 1 page

Letter to the Honorable Frank R. Wolf of the U.S. House of Representatives, July 31, 1998, regarding onsite RPA delineation, 9 VAC 10-20-110 B, 3 pages

Letter to J. Donald Cotter of Ruther Glen, September 24, 1998, regarding exemptions in RPAs, 9 VAC 10-20-130 C, 2 pages

Letter to Caroline County, October 2, 1998, regarding silvicultural activities in CBPAs, 9 VAC 10-120-10, 1 page

Letter to Westmoreland County, October 6, 1998, regarding permitted structures in RPAs, 9 VAC 10-20-130 A, 1 page

Letter to Northampton County, October 27, 1998, regarding permitted structures in RPAs, 9 VAC 10-20-130 A, 1 page

Letter to Caroline County, October 27, 1998, regarding agricultural activities in RPAs, 9 VAC 10-130 B, 2 pages

Letter to Stafford County, November 16, 1998, regarding onsite RPA delineation, clarification of tributary streams, 9 VAC 10-20-110 B, 2 pages

Letter to James City County, November 30, 1998, regarding buffer modification and mitigation, 9 VAC 10-20-130 B, 3 pages

Letter to Arlington County, February 4, 1999, regarding buffer encroachment, 9 VAC 10-20-130 B, 1 page

Letter to Michael Rolband of Chantilly, Virginia, February 18, 1999, regarding on-site RPA delineation and tributary stream clarification, 9 VAC 10-20-110 B, 2 pages

Letter to Chesterfield County, April 26, 1999, regarding buffer encroachments and modifications, 9 VAC 10-20-130 B, 3 pages

Letter to Northumberland County, May 5, 1999, regarding expansions of nonconforming structures, 9 VAC 10-20-150 A, 2 pages

Letter to Accomack County, May 17, 1999, regarding permitted uses in RPA, 9 VAC 10-20-130 A, 2 pages

Letter to Arlington County, May 25, 1999, regarding permitted uses in RPA, 9 VAC 10-20-130 B 2, 2 pages

Letter to City of Alexandria, June 28, 1999, regarding buffer modifications, 9 VAC 10-20-130 B, 2 pages

Letter to Mathews County, August 19, 1999, regarding buffer encroachments, 9 VAC 10-20-130 B, 3 pages

Letter to Chesterfield County, October 8, 1999, regarding buffer violation, 9 VAC 10-20-130 B, 2 pages

Letter to Caroline County, October 14, 1999, regarding expansion of RPA due to created wetlands, 9 VAC 10-20-80 B and 9 VAC 10-20-110 B, 2 pages

Letter to Westmoreland County, December 22, 1999, regarding expansion of nonconforming use in RPA, 9 VAC 10-20-150 A, 5 pages

## DEPARTMENT OF EDUCATION

Copies of the following guidance documents may be obtained at no cost by contacting Dr. James E. Laws, Jr., at the Virginia Department of Education, P. O. Box 2120, Richmond, VA 23218-2120, telephone (804) 225-2540. For interpretive or implementation information, questions may also be directed to Dr. Laws. The documents may be viewed at the Department of Education during regular work days from 8:30 a.m. to 5 p.m. at 101 North 14th Street, 25th Floor, Richmond, VA.

### Guidance Documents:

#### Comprehensive Services

Comprehensive Services Act (CSA) for At Risk Youth and Families Implementation Manual, July 1997

#### Driving

Steps for Minors to Procure a Driver's License in Virginia, July 1997

Alcohol and Other Drugs and Driving, 1990

#### Family Life

Family Life Education: Special Education, 1991

#### Gifted

The Virginia Plan for the Gifted, 1996

#### Governor's Schools

Procedures for Initiating an Academic Year Governor's School, 1997

#### Graduation Requirements

Guidelines for Approval of Additional Graduation Requirements at the Local Level

Standards of Learning for Virginia Public Schools

- Art
- English
- Family Life Education
  - Board of Education Regulations for Family Life Education
- Foreign Languages
- Guidance
- Health
- History and Social Sciences
- Mathematics
- Science
- Media/Library Services
- Music
- Physical Education

## Grievances

Procedures for Adjusting Grievances, June 1997

#### Health and Physical Fitness

Guidelines for the Administration of the Virginia Fitness Test, December 1992

Virginia Health Guidelines, August 1992

Guidelines for Specialized Health Care Procedures, March 1996

Model Guidelines for School Attendance for Children with Human Immunodeficiency Virus (HIV), 1990

HIV/AIDS Prevention Education Curriculum Guide, February 1992.

A Guide to Establishing and Maintaining School Health Advisory Boards, 1993.

A Model Survey: Healthy Schools Make Sense--Evaluating Your School Health Program, November 1993

Virginia School Health Guidelines, August 1992 (under revision for 1998)

Guidelines for Specialized Health Care Procedures, March 1996

Emergency First Aid Flip Chart for School Emergencies, August 1992

#### Licensure

The Virginia Recertification Manual, July 1990

Virginia Approved Preparation Programs for Instructional Personnel, July 1994

State-Approved Principal Preparation Programs, July 1, 1990

#### Pledge of Allegiance

Guidelines on the Recitation of the Pledge of Allegiance, November 17, 1997

#### Religious Activity

Guidelines Concerning Religious Activity in Public Schools, June 22, 1995

#### Special Education

A Parent's Guide to Regulations Governing Special Education Programs for Children with Disabilities in Virginia, 1994

Comparison of Virginia Regulations Governing Special Education Programs and the Individuals with Disabilities Education Act (IDEA) Amendments of 1997, August 1997

Individualized Education Programs: The Process, March 1995

---

## Guidance Documents

---

Provision of Services to Students with Attention Deficit Hyperactivity Disorder, November 1991

Selection of Literacy Media for Students with Visual Impairments, March 1997

Suggestions and Examples on Transitioning from Services Under IDEA, Part H to Part B, May 1996

Program Guidelines for Students with Hearing Impairments in Virginia's Public Schools, March 1990

Program Guidelines for Audiological Services in Virginia's Public Schools, 1980

Program Guidelines for Students with Speech-Language Impairments, 1991

Handbook on Programming for Virginia Students with Serious Emotional Disturbance, May 1986

Guidelines for Educational Services for Students with Traumatic Brain Injury, 1992

Noncategorical Primary Special Education Program Guidelines for Students with Developmental Delay, December 1990

### Student Discipline and Safety

Student Conduct Policy Guidelines, June 1994

School Safety Audits: Protocol, Procedures, and Checklists, September 1997

Before You Suspend Students with Disabilities: Suggestions for Policies and Procedures, 1996

Guidelines for Teacher Removal of Disruptive Students from Class for Disruptive Behavior

### Student Records

Guidelines for the Management of the Student's Scholastic Record in Virginia Public Schools, September 1995

### Uniforms

Model Guidelines for the Wearing of Uniforms in Public Schools, May 23, 1996

### Miscellaneous

Handbook of Procedures and Forms for Requesting Federal Program Reimbursements Under Improving America's Schools Act (IASA) and Special Education (IDEA), September 1997

Training and Technical Assistance Center Handbook for State Reporting Requirements, January 1998

Procedures for Child Study Committees Operating in Virginia, November 1993

Description of Federal and State Early Childhood Programs Administered at the Virginia Department of Education, September 1997

Handbook for Occupational and Physical Therapy Services in the Public Schools of Virginia, March 1997.

Handbook for Homebound Service, January 1990

Planning and Evaluating School Psychological Services: Resource Guide for Practitioners, 1997

### Mediation

Mediation: An Interim Guidance Document, August 1997

State Assessment Policy and Accommodations Information for Students with Disabilities -- three documents:

Guidelines for Testing Students with Disabilities in the Literacy Testing Program, November 1993

Guidelines for Testing Students with Disabilities in the Virginia State Assessment Program, February 1997

Guidelines for Participation of Students with Disabilities and Students with Limited English Proficiency in the Standards of Learning Assessment, October 1997

### Resolutions of the Board of Education

Subsequent to promulgating a regulation, additional questions may arise regarding the "intent" of the board regarding a regulation or section of a regulation. The Board of Education may then adopt a resolution to explain to the public its "intent" regarding the regulation or section of a regulation.

### VIRGINIA SMALL BUSINESS FINANCING AUTHORITY

Copies of the following documents may be viewed during regular work days from 8:30 a.m. until 5 p.m. in the office of the Financial Services Division, 707 E. Main Street, 3rd Floor, Richmond, VA 23219. Copies may be obtained free of charge by contacting Barbara Carter at the same address, telephone (804) 371-8254, FAX (804) 225-3384 or e-mail [bcarter@dba.state.va.us](mailto:bcarter@dba.state.va.us).

Questions regarding interpretation or implementation of these documents may be directed to Patricia S. Thorne, Financial Services Division, 707 E. Main Street, 3rd Floor, Richmond, VA 23219, (804) 371-8208, FAX (804) 225-3384 or e-mail [pthorne@dba.state.va.us](mailto:pthorne@dba.state.va.us).

### Guidance Documents:

Virginia Private Activity Bond Allocation Guidelines 1998, revised December 1998, Chapter 50 (§§ 15.2-5000 through 15.2-5005) of Title 15.2 of the Code of Virginia

IDB/IDBFACTS/01/1999, Virginia Small Business Financing Authority: Industrial Development Bonds, Tax-exempt Bonds and Taxable Bonds, revised January 2000, Chapter 28 (§§ 9-197 through 9-235 and 9-249.1) of the Code of Virginia



IDB/UMBFACFS/01/1999, Virginia Small Business Financing Authority: Industrial Development Bonds, Umbrella Bond Program, revised January 2000, Chapter 28 (§§ 9-197 through 9-235 and 9-249.1) of the Code of Virginia

RLF/RLFFACFS/01/1999, Virginia Small Business Financing Authority: Virginia Economic Development Revolving Loan Fund and Virginia Defense Conversion Revolving Loan Fund, revised January 2000, Chapter 28 (§§ 9-197 through 9-235 and 9-249.1) of the Code of Virginia

LGP/LGPFACFS/01/1999, Virginia Small Business Financing Authority: Loan Guaranty Program, revised January 2000, Chapter 28 (§§ 9-197 through 9-235 and 9-249.1) of the Code of Virginia

CDC/CDCFACFS/01/1999, Virginia Small Business Financing Authority: Child Day Care Financing Program: Child Day Center Loans and Family Home Provider Loans, revised January 2000, § 63.1-195 and Chapter 28 (§§ 9-197 through 9-235 and 9-249.1) of the Code of Virginia

VCAP/VCAPMAN/12/97, Virginia Small Business Financing Authority: Virginia Capital Access Program - Program Manual, December 1997, Chapter 28 (§§ 9-197 through 9-235 and 9-249.1) of the Code of Virginia

EGP/EGPFACFS/01/1999, Virginia Small Business Financing Authority: Virginia Export Loan Guarantee Fund, revised January 2000, Chapter 28 (§§ 9-197 through 9-235 and 9-249.1) of the Code of Virginia

ECAF/ECAFGuidanceDoc12/10/99, Virginia Small Business Financing Authority: Environment Compliance Assistance Fund, issued December 1999, Article 4 (§ 10.1-1197.1 et seq.) of Chapter 11.1 of Title 10.1 of the Code of Virginia

---

## GENERAL NOTICES/ERRATA

---

### DEPARTMENT OF CRIMINAL JUSTICE SERVICES

#### **Notice of Application for Grant Funds for Prerelease and Post-incarceration Services (PAPIS)**

The Department of Criminal Justice Services is accepting application for grant funds for prerelease and post-incarceration services for adult offenders. These services provide training and counseling which prepare adult offenders for reintegration into society after release from state prisons or local jails. The deadline for application is 5 p.m., Friday, April 7, 2000. Program guides and applications may be obtained by contacting Carol-Lee Raimo, Program Analyst, Department of Criminal Justice Services, telephone (804) 786-9652, FAX (804) 786-9656, or e-mail [craimo@dcjs.state.va.us](mailto:craimo@dcjs.state.va.us). Any public or private, nonprofit transition services provider is invited to make application.

### DEPARTMENT OF ENVIRONMENTAL QUALITY

#### **Notice of Public Meeting and Public Comment - North River Tributaries Fecal Coliform Bacteria TMDL**

The Department of Environmental Quality (DEQ) and the Department of Conservation and Recreation seek written and oral comments from interested persons on the draft of the Total Maximum Daily Load (TMDL) for fecal coliform bacteria on segments of Dry River, Mill Creek, and Pleasant Run. The three streams are tributaries of the North River and are located in Rockingham County. The three segments are identified in Virginia's 1998 § 303(d) TMDL Priority List and Report as impaired due to violations of the state's water quality standard for fecal coliform bacteria.

Section 303(d) of the Clean Water Act and § 62.1-44.19:7 C of the Code of Virginia require DEQ to develop TMDLs for pollutants responsible for each impaired water contained in Virginia's § 303(d) TMDL Priority List and Report.

The third public meeting on the development of the North River Tributaries fecal coliform bacteria TMDL will be held on Tuesday, March 28, 2000, at 7 p.m. at the Pence Middle School Auditorium on Bowman Road in Dayton, Virginia. The draft TMDL will be presented.

The public comment period will end on April 11, 2000. Fact sheets on the development of the TMDL for fecal coliform bacteria on the North River tributaries are available upon request. Questions or information requests should be addressed to Rob Bodkin. Written comments should include the name, address, and telephone number of the person submitting the comments and should be sent to Rod Bodkin, Department of Environmental Quality, 4411 Early Road, Harrisonburg, Virginia 22801, telephone (540) 574-7801, FAX (540) 574-7878, or e-mail [rvbodkin@deq.state.va.us](mailto:rvbodkin@deq.state.va.us).

#### **Notice of Public Meeting and Public Comment - Middle Fork Holston River Watershed TMDL for Fecal Coliform Bacteria**

The Department of Environmental Quality (DEQ) and the Department of Conservation and Recreation seek written and oral comments from interested persons on the draft of the Total Maximum Daily Load (TMDL) for fecal coliform bacteria on four segments in the Middle Fork Holston River watershed. These impaired segments are located in Washington County on Byers Creek, Cedar Creek, Hall Creek and Hutton Creek. These four segments are identified in Virginia's 1998 § 303(d) TMDL Priority List and Report as impaired due to violations of the state's water quality standard for fecal coliform bacteria.

Section 303(d) of the Clean Water Act and § 62.1-44.19:7 C of the Code of Virginia require DEQ to develop TMDLs for pollutants responsible for each impaired water contained in Virginia's § 303(d) TMDL Priority List and Report.

The third public meeting on the development of the fecal coliform bacteria TMDL for these four segments will be held on Thursday, March 30, 2000, at 7 p.m. at the Patrick Henry High School Auditorium, 31437 Hillman Highway in Glade Spring, Virginia. The draft TMDL study will be presented at this meeting.

The public comment period will end on April 11, 2000. A copy of the draft TMDL document for fecal coliform bacteria on the four impaired segments in the Middle Fork Holston River is available upon request. Questions or information requests should be addressed to Nancy Norton. Written comments should include the name, address, and telephone number of the person submitting the comments and should be sent to Nancy Norton, Department of Environmental Quality, 355 Deadmore Street, P.O. Box 1688, Abingdon, Virginia 24212, telephone (540) 676-4807, FAX (540) 676-4899, or e-mail [nnorton@deq.state.va.us](mailto:nnorton@deq.state.va.us).

### DEPARTMENT OF MEDICAL ASSISTANCE SERVICES

#### **Proposed DRG Payment Rates and DRG Weights - Legal Notice**

The Department of Medical Assistance Services hereby notifies, consistent with federal regulatory requirements, the regulated hospital community of these proposed DRG payment rates and DRG weights. The proposed DRG rates are published below for inpatient acute care hospitals. The proposed per diem rates are published for inpatient psychiatric hospitals (both acute and freestanding) and inpatient rehabilitation hospitals.

These published rates/weights represent the agency's best estimate based on rates in effect for state fiscal year ending June 30, 2000, inflated to state fiscal year ending in 2001. The final rates/weights will be determined using 1999 claims data, 1997 cost report data to determine the ratio of operating payments to operating cost, 1993 through 1997 cost-to-charge ratio, and any public comments that are adopted.

Once final rates/weights have been determined they will be published pursuant to federal law.

The DRG weights to be applied to DRG claims can be accessed on the Internet at [www.cns.state.va.us/dmas](http://www.cns.state.va.us/dmas). The DMAS methodology and justifications can be found on the Commonwealth's Regulatory Townhall at [www.townhall.state.va.us](http://www.townhall.state.va.us) and in the *Virginia Register* (Volume 16, issue 9) published on January 17, 2000 at <http://legis.state.va.us/codecomm/register/vol16/v16i09.pdf>.

Please direct your questions to Stan Fields at (804) 786-5590. Individuals wishing to submit written comments by April 7, 2000, on these rates or weights should direct their comments to N. Stanley Fields, Director, Cost Settlement, Fiscal Division, Department of Medical Assistance Services, 600 East Broad Street, Suite 1300, Richmond, VA 23219.

Written comments may be faxed to (804) 786-1680.

If you are unable to access the table of DRG weights or the DRG methodology and justifications on the Internet, please contact Vicki Simmons at (804) 786-7959 for a free hard copy.

Proposed Medical Surgical (DRG) Rates for 7/1/00 through 6/30/01 (based on current data)	Proposed SFY2001 Operating Rate per Case	Capital Percent Add-on
Provider Name		
George Washington University Hospital	2,732.67	0.1919
Georgetown University Hospital	2,732.67	0.1537
Washington Hospital Center	2,732.67	0.1631
Children's Hospital National Medical Center (& NICU)	2,732.67	0.2114
Duke University Medical Center	2,583.65	0.1511
North Carolina Baptist Hospital	2,543.16	0.1527
Bristol Memorial Hospital	2,425.20	0.2654
Holston Valley Hospital	2,425.20	0.2838
Johnson City Medical Center (& NICU)	2,425.20	0.2251
Indian Path Hospital	2,425.20	0.1976
Norton Community Hospital	2,283.79	0.1428
Russell County Medical Center	2,283.79	0.0896
Richmond Eye & Ear Hospital	2,492.02	0.2741
Rockingham Memorial Hospital	2,283.79	0.1506
Winchester Medical Center	2,283.79	0.3011
Shenandoah Memorial Hospital	2,283.79	0.2020
Sentara Norfolk General Hospital	2,337.22	0.0881
University of Virginia Hospital (& NICU)	4,369.63	0.1156
DePaul Medical Center	2,337.22	0.2137
Lee County Community Hospital	2,283.79	0.2206
Halifax Regional Hospital	2,283.79	0.1496
Columbia Pentagon City	2,732.67	0.2532
HealthSouth Medical Center	2,492.02	0.4475
Bon Secours-Maryview & Portsmouth Hospitals	2,337.22	0.0993

Augusta Medical Center	2,283.79	0.2576
Culpeper Memorial Hospital	2,732.67	0.0807
Columbia John Randolph Hospital	2,492.02	0.1176
Centra Health (& NICU)	2,444.53	0.1560
Mary Washington Hospital	2,732.67	0.2406
Fauquier Hospital	2,732.67	0.1570
Carilion-Roanoke Hospitals (& NICU)	2,385.01	0.1517
St. Mary's Hospital-Norton	2,283.79	0.1011
Norfolk Community Hospital	2,337.22	0.0702
Stonewall Jackson Hospital	2,283.79	0.2275
Medical College of Virginia Hospital (& NICU)	4,103.22	0.0606
Warren Memorial Hospital	2,732.67	0.1714
Shore Memorial Hospital	2,283.79	0.0789
Smyth County Community Hospital	2,283.79	0.0722
Alexandria Hospital	2,732.67	0.0905
Mary Immaculate Hospital	2,337.22	0.1416
Carilion Radford Community Hospital	2,283.79	0.1745
Loudoun Hospital Center	2,732.67	0.0958
Louise Obici Memorial Hospital	2,337.22	0.1316
Prince William Hospital Corporation	2,732.67	0.1376
Sentara Leigh Hospital	2,337.22	0.1331
Page Memorial Hospital	2,283.79	0.0565
Columbia Lewis-Gale Medical Center	2,385.01	0.1832
Arlington Hospital	2,732.67	0.1355
Riverside Regional Medical Center	2,337.22	0.0986
Johnston Memorial Hospital	2,425.20	0.1863
R.J. Reynolds-Patrick County Memorial Hospital	2,283.79	0.0802
Virginia Beach General Hospital	2,337.22	0.1683
St. Mary's Hospital-Richmond	2,492.02	0.1736
Columbia Clinch Valley Medical Center	2,283.79	0.1693
Inova Fairfax Hospital (& NICU)	2,732.67	0.1457
Williamsburg Community Hospital	2,337.22	0.2527
Southside Regional Medical Center	2,492.02	0.0868
Richmond Memorial Hospital	2,492.02	0.1297
Columbia Retreat Hospital	2,492.02	0.1068
Vencor Hospital - Arlington	2,732.67	0.0663
Danville Regional Medical Center	2,466.75	0.1168
Martha Jefferson Hospital	2,653.82	0.1172
Memorial Hospital of Martinsville & Henry County	2,283.79	0.1526
Riverside Tappahannock Hospital	2,283.79	0.2461
Carilion Giles Memorial Hospital	2,283.79	0.1293
Carilion Bedford County Memorial Hospital	2,444.53	0.1234
Carilion Franklin Memorial Hospital	2,283.79	0.1847
Southside Community Hospital	2,283.79	0.1047
Bon Secours-Stuart Circle Hospital	2,492.02	0.1853
Southampton Memorial Hospital	2,283.79	0.1511

## General Notices/Errata

Sentara Hampton General Hospital	2,337.22	0.2032
Bon Secours-Richmond Community Hospital	2,492.02	0.1221
Children's Hospital of the King's Daughters (& NICU)	2,337.22	0.1692
Greensville Memorial Hospital	2,283.79	0.1137
Community Memorial Healthcenter	2,283.79	0.0808
Bath County Community Hospital	2,283.79	0.1973
Inova Fair Oaks Hospital	2,732.67	0.3046
Columbia Reston Hospital Center	2,732.67	0.1924
Columbia Montgomery Regional Hospital	2,283.79	0.3814
Wythe County Community Hospital	2,283.79	0.1324
Chippenham & Johnston-Willis Hospitals	2,492.02	0.1050
Potomac Hospital	2,732.67	0.1471
Lonesome Pine Hospital	2,283.79	0.1413
Twin County Regional Hospital	2,283.79	0.0890
Columbia Pulaski Community Hospital	2,283.79	0.1800
Tazewell Community Hospital	2,283.79	0.1589
Columbia Henrico Doctors' Hospital	2,492.02	0.2150
Sentara Bayside Hospital	2,337.22	0.2155
Chesapeake General Hospital	2,337.22	0.2320
Mount Vernon Hospital	2,732.67	0.1544
Rappahannock General Hospital	2,283.79	0.1448
Capital Medical Center	2,492.02	0.0930
Columbia Alleghany Regional Hospital	2,283.79	0.1948
Buchanan General Hospital	2,283.79	0.1451
Hospice of Northern Virginia	2,732.67	0.0259
Riverside Walter Reed Hospital	2,337.22	0.0982
Dickenson County Medical Center	2,283.79	0.1851
Children's Hospital	2,492.02	0.3809

Proposed Acute Psychiatric Rates for 7/1/00 through 6/30/01 (based on current data)	Proposed SFY2001 Operating Psychiatric Rate per Case	Capital Percent Add-on
Provider Name		
George Washington University Hospital	345.53	0.1919
Georgetown University Hospital	345.53	0.1537
Washington Hospital Center	345.53	0.1631
Children's Hospital National Medical Center (& NICU)	345.53	0.2114
Duke University Medical Center	326.69	0.1511
North Carolina Baptist Hospital	321.57	0.1527
Bristol Memorial Hospital	306.65	0.2654
Holston Valley Hospital	306.65	0.2838
Johnson City Medical Center (& NICU)	306.65	0.2251
Indian Path Hospital	306.65	0.1976

Norton Community Hospital	288.77	0.1428
Russell County Medical Center	288.77	0.0896
Richmond Eye & Ear Hospital	315.10	0.2741
Rockingham Memorial Hospital	288.77	0.1506
Winchester Medical Center	288.77	0.3011
Shenandoah Memorial Hospital	288.77	0.2020
Sentara Norfolk General Hospital	295.53	0.0881
University of Virginia Hospital (& NICU)	488.29	0.1156
DePaul Medical Center	295.53	0.2137
Lee County Community Hospital	288.77	0.2206
Halifax Regional Hospital	288.77	0.1496
National Hospital Medical Center	345.53	0.2532
HealthSouth Medical Center	315.10	0.4475
Bon Secours-Maryview & Portsmouth Hospitals	295.53	0.0993
Augusta Medical Center	288.77	0.2576
Culpeper Memorial Hospital	345.53	0.0807
Columbia John Randolph Hospital	315.10	0.1176
Centra Health (& NICU)	309.10	0.1560
Mary Washington Hospital	345.53	0.2406
Fauquier Hospital	345.53	0.1570
Carilion-Roanoke Hospitals (& NICU)	301.57	0.1517
St. Mary's Hospital-Norton	288.77	0.1011
Norfolk Community Hospital	295.53	0.0702
Stonewall Jackson Hospital	288.77	0.2275
Medical College of Virginia Hospital (& NICU)	458.52	0.0606
Warren Memorial Hospital	345.53	0.1714
Shore Memorial Hospital	288.77	0.0789
Smyth County Community Hospital	288.77	0.0722
Alexandria Hospital	345.53	0.0905
Mary Immaculate Hospital	295.53	0.1416
Carilion Radford Community Hospital	288.77	0.1745
Loudoun Hospital Center	345.53	0.0958
Louise Obici Memorial Hospital	295.53	0.1316
Prince William Hospital Corporation	345.53	0.1376
Sentara Leigh Hospital	295.53	0.1331
Page Memorial Hospital	288.77	0.0565
Columbia Lewis-Gale Medical Center	301.57	0.1832
Arlington Hospital	345.53	0.1355
Riverside Regional Medical Center	295.53	0.0986
Johnston Memorial Hospital	306.65	0.1863
R.J. Reynolds-Patrick County Memorial Hospital	288.77	0.0802

## General Notices/Errata

Virginia Beach General Hospital	295.53	0.1683
St. Mary's Hospital-Richmond	315.10	0.1736
Columbia Clinch Valley Medical Center	288.77	0.1693
Inova Fairfax Hospital (& NICU)	345.53	0.1457
Williamsburg Community Hospital	295.53	0.2527
Southside Regional Medical Center	315.10	0.0868
Richmond Memorial Hospital	315.10	0.1297
Columbia Retreat Hospital	315.10	0.1068
Vencor Hospital - Arlington	345.53	0.0663
Danville Regional Medical Center	311.91	0.1168
Martha Jefferson Hospital	335.56	0.1172
Memorial Hospital of Martinsville & Henry County	288.77	0.1526
Riverside Tappahannock Hospital	288.77	0.2461
Carilion Giles Memorial Hospital	288.77	0.1293
Carilion Bedford County Memorial Hospital	309.10	0.1234
Carilion Franklin Memorial Hospital	288.77	0.1847
Southside Community Hospital	288.77	0.1047
Bon Secours-Stuart Circle Hospital	315.10	0.1853
Southampton Memorial Hospital	288.77	0.1511
Sentara Hampton General Hospital	295.53	0.2032
Bon Secours-Richmond Community Hospital	315.10	0.1221
Children's Hospital of the King's Daughters (& NICU)	295.53	0.1692
Greensville Memorial Hospital	288.77	0.1137
Community Memorial Healthcenter	288.77	0.0808
Bath County Community Hospital	288.77	0.1973
Inova Fair Oaks Hospital	345.53	0.3046
Columbia Reston Hospital Center	345.53	0.1924
Columbia Montgomery Regional Hospital	288.77	0.3814
Wythe County Community Hospital	288.77	0.1324
Chippenham & Johnston-Willis Hospitals	315.10	0.1050
Potomac Hospital	345.53	0.1471
Lonesome Pine Hospital	288.77	0.1413
Twin County Regional Hospital	288.77	0.0890
Columbia Pulaski Community Hospital	288.77	0.1800
Tazewell Community Hospital	288.77	0.1589
Columbia Henrico Doctors' Hospital	315.10	0.2150
Sentara Bayside Hospital	295.53	0.2155
Chesapeake General Hospital	295.53	0.2320
Mount Vernon Hospital	345.53	0.1544
Rappahannock General Hospital	288.77	0.1448
Capital Medical Center	315.10	0.0930

Columbia Alleghany Regional Hospital	288.77	0.1948
Buchanan General Hospital	288.77	0.1451
Hospice of Northern Virginia	345.53	0.0259
Riverside Walter Reed Hospital	295.53	0.0982
Dickenson County Medical Center	288.77	0.1851
Children's Hospital	315.10	0.3809

Proposed Freestanding Psychiatric Rates for 7/1/00 through 6/30/01 (based on current data)		Proposed SFY2001 Freestanding Psychiatric Total Rate per Day (includes capital)
Provider Name		
Behavioral Health System of Charlottesville		447.64
Columbia Peninsula Center for Behavioral Health		393.35
Piedmont Behavioral Health Care LLC		461.10
Behavioral Healthcare of Norfolk		393.35
Poplar Springs Hospital		419.94
ValueMark West End Behavioral Healthcare System		419.94
Carilion Saint Albans Hospital		384.15
Central State		419.94
Charter Behavioral Health System		439.99
Charter Greensboro Behavioral		439.99
DeJarnette Center		384.15
Dominion Hospital		461.10
Graydon Manor		461.10
Northern Virginia Mental Health Institute		461.10
Southern Virginia Mental Health Institute		415.61
Southwestern Virginia Mental Health Institute		384.15
Western State Hospital		384.15
Woodridge Hospital		408.48
Woodside Hospital		393.35

Proposed Rehabilitation Rates for 7/1/00 through 6/30/01 (based on current data)		Proposed SFY2001 Operating Rehabilitation Rate per Day	Capital Percent Add-on
Provider Name			
Sheltering Arms Hospital		629.38	0.0693
Depaul Hospital Rehab		590.29	0.1662
Danville Regional Medical Center Rehab		623.00	0.1447
Lee County Community Hospital		576.79	0.1772

---

## General Notices/Errata

---

Rehab		
Chippenham & Johnston-Willis Hospitals Rehab	629.38	0.0820
Sentara Norfolk General Hospital Rehab	590.29	0.0760
Columbia Pentagon City Rehab	690.16	0.2532
University of Virginia Hospital Rehab	1,250.68	0.1011
Riverside Tappahannock Rehab	576.79	0.1447
HealthSouth Medical Center Rehab	629.38	0.2253
UVA HealthSouth Rehab	670.25	0.1447
Children's Hospital of the King's Daughters Rehab	590.29	0.1447
Augusta Hospital Rehab	576.79	0.3355
Norton Community Hospital Rehab	576.79	0.1447
Centra Health Rehab	617.39	0.1762
North Carolina Baptist Hospital Rehab	642.30	0.1447
Carilion-Roanoke Hospitals Rehab	602.36	0.1265
Rehab Institute of Virginia	590.29	0.0823
Medical College of Virginia Rehab	1,174.42	0.0648
Winchester Medical Center Rehab	576.79	0.2232
Columbia Lewis-Gale Medical Center Rehab	602.36	0.1121
Columbia Clinch Valley Medical Center Rehab	576.79	0.1499
Bon Secours-Maryview & Portsmouth Hospitals Rehab	590.29	0.1447
Rehab Hospital of Virginia	629.38	0.1033
Mount Vernon Hospital Rehab	690.16	0.1401
Cumberland Hospital Rehab	629.38	0.0680
Children's Hospital Rehab	629.38	0.1613

### DEPARTMENT OF MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES

#### General Notice of Public Comment on 12 VAC 35-102-10 et seq., Rules and Regulations for the Licensure of Facilities and Providers of Mental Health, Mental Retardation and Substance Abuse Services

The Department of Mental Health, Mental Retardation and Substance Abuse Services invites comment from the public on 12 VAC 35-102-10 et seq., Rules and Regulations for the Licensure of Facilities and Providers of Mental Health, Mental Retardation and Substance Abuse Services. This review is being conducted under Executive Order 25(98). The department welcomes written comments on the performance and effectiveness of this regulation in achieving the following goals:

1. To clearly articulate adequate health, safety, care, and treatment requirements to assure that consumers receive safe and protected mental health, mental retardation, and substance abuse services that are appropriate to their needs and levels of functioning.
2. To clearly articulate department procedures and actions necessary to implement regulatory requirements with the least possible cost and intrusiveness to consumers, families, and provider organizations.
3. To provide clear and precise criteria for (i) determining mental health, mental retardation, and substance abuse program accountability and program compliance with regulatory requirements and (ii) taking actions to enforce compliance.

The department also requests suggestions to improve the content and organization of the regulation and to make it more understandable and useful to citizens and provider organizations.

Written or faxed comments may be submitted through 5 p.m. on Thursday, April 13, 2000. Please identify the regulation by citing the VAC number that precedes the regulation name, along with the full title that follows. Copies of the regulation may be obtained from the Department of Mental Health, Mental Retardation and Substance Abuse Services.

**Contact:** Charline Davidson, Office of Planning and Development, Department of Mental Health, Mental Retardation and Substance Abuse Services, P.O. Box 1797, Richmond, VA 23218-1797, telephone (804) 786-7357 or FAX (804) 371-0092.

### STATE WATER CONTROL BOARD

#### Proposed Special Order - Yates Dairy Farm

The State Water Control Board proposes to take an enforcement action against the above listed facility. Under the terms of the proposed special order, the owners of this facility has agreed to be bound by the terms and conditions of a schedule of compliance contained in the appendix of the order. The requirements contained in the order bring the facility into compliance with state law and protect water quality.

On behalf of the State Water Control Board, the Department of Environmental Quality will receive comments relating to the special order until April 13, 2000. Comments should be addressed to Dallas Sizemore, Department of Environmental Quality, Southwest Regional Office, P.O. Box 1688, Abingdon, Virginia 24212, and should refer to the consent special order.

The proposed order may be examined at the Department of Environmental Quality, 355 Deadmore Street, Abingdon, Virginia.

A copy of the order may be obtained in person or by mail from the above office.

### VIRGINIA CODE COMMISSION

#### Notice to State Agencies

**Mailing Address:** Virginia Code Commission, 910 Capitol Street, General Assembly Building, 2nd Floor, Richmond, VA 23219. You may FAX in your notice; however, we ask that you FAX two copies and do not follow up with a mailed copy. Our FAX number is: (804) 692-0625.

#### Forms for Filing Material for Publication in *The Virginia Register of Regulations*

All agencies are required to use the appropriate forms when furnishing material for publication in *The Virginia Register of Regulations*. The forms may be obtained from: Virginia Code Commission, 910 Capitol Street, General Assembly Building, 2nd Floor, Richmond, VA 23219, telephone (804) 786-3591.

**Internet:** Forms and other *Virginia Register* resources may be printed or downloaded from the *Virginia Register* web page:

<http://legis.state.va.us/codecomm/register/regindex.htm>

#### FORMS:

NOTICE of INTENDED REGULATORY ACTION - RR01

NOTICE of COMMENT PERIOD - RR02

PROPOSED (Transmittal Sheet) - RR03

FINAL (Transmittal Sheet) - RR04

EMERGENCY (Transmittal Sheet) - RR05

NOTICE of MEETING - RR06

AGENCY RESPONSE TO LEGISLATIVE OBJECTIONS



- RR08

---

# CALENDAR OF EVENTS


---

## Symbol Key

-  Location accessible to persons with disabilities  
 Teletype (TTY)/Voice Designation

## NOTICE

Only those meetings which are filed with the Registrar of Regulations by the filing deadline noted at the beginning of this publication are listed. Since some meetings are called on short notice, please be aware that this listing of meetings may be incomplete. Also, all meetings are subject to cancellation and the *Virginia Register* deadline may preclude a notice of such cancellation.

For additional information on open meetings and public hearings held by the standing committees of the legislature during the interim, please call Legislative Information at (804) 698-1500 or Senate Information and Constituent Services at (804) 698-7410 or (804) 698-7419/TTY , or visit the General Assembly web site's Legislative Information System (<http://leg1.state.va.us/lis.htm>) and select "Meetings."


VIRGINIA CODE COMMISSION

## EXECUTIVE


1600 Forest Avenue, Suite 102, Richmond, VA 23229, telephone (804) 662-9312.

### BOARD OF ACCOUNTANCY

**April 19, 2000 - 10 a.m.** -- Open Meeting


Department of Professional and Occupational Regulation, 3600 West Broad Street, Conference Room 5 W, Richmond, Virginia. 

A meeting to conduct routine business. A public comment period will be held at the beginning of the meeting.

**Contact:** David E. Dick, Assistant Director, Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, VA 23230, telephone (804) 367-8505, FAX (804) 367-2475, (804) 367-9753/TTY , e-mail [accountancy@dpor.state.va.us](mailto:accountancy@dpor.state.va.us).

### COMMONWEALTH COUNCIL ON AGING


**March 23, 2000 - 10 a.m.** -- Open Meeting

Jefferson Area Board for Aging, 674 Hillsdale Drive, Suite 9, Charlottesville, Virginia.  (Interpreter for the deaf provided upon request)

The council will have a brief business meeting from 10 a.m. to 11 a.m. and then tour the adult day care center and hear presentations from the director and staff of the Jefferson Area Board for Aging. Public comments will not be heard at this meeting.

**Contact:** Marsha Mucha, Administrative Staff Assistant, Department for the Aging, 1600 Forest Avenue, Suite 102, Richmond, VA 23229, telephone (804) 662-9312.

**† March 23, 2000 - 2 p.m.** -- Open Meeting

Jefferson Area Board for Aging, 674 Hillsdale Drive, Suite 9, Charlottesville, Virginia.  (Interpreter for the deaf provided upon request)


A regular business meeting of the Legislative Committee.

**Contact:** Marsha Mucha, Administrative Staff Assistant, Commonwealth Council on Aging, Department for the Aging,

### VIRGINIA AGRICULTURAL COUNCIL

**March 27, 2000 - 9 a.m.** -- Open Meeting

**March 28, 2000 - 8:30 a.m.** -- Open Meeting


Omni Charlottesville Hotel, 235 West Main Street, Charlottesville, Virginia.  (Interpreter for the deaf provided upon request)

The council will hear and act upon agricultural project proposals for financial assistance through the Virginia Agricultural Council. The council will entertain public comment at the conclusion of all other business for a period not to exceed 30 minutes. Any person who needs any accommodation in order to participate at the meeting should contact Thomas Yates at least five days before the meeting date so that suitable arrangements can be made.

**Contact:** Thomas R. Yates, Assistant Secretary, Virginia Agricultural Council, 1100 Bank Street, 5th Floor, Room 509, Richmond, VA 23219, telephone (804) 786-6060, FAX (804) 371-8372 or toll-free (800) 828-1120.

### BOARD OF AGRICULTURE AND CONSUMER SERVICES

**March 16, 2000 - 9 a.m.** -- Open Meeting

Department of Agriculture and Consumer Services, Washington Building, 1100 Bank Street, Second Floor Board Room, Richmond, Virginia. 

A regular meeting to discuss issues related to Virginia agriculture and consumer services. The board will entertain public comment at the conclusion of all other business for a period not to exceed 30 minutes. Any person who needs any accommodation in order to participate in the meeting should contact Roy Seward at least five days before the meeting date so that suitable arrangements can be made.

**Contact:** Roy Seward, Secretary to the Board, Department of Agriculture and Consumer Services, 1100 Bank Street,



Suite 211, Richmond, VA 23219, telephone (804) 786-3538 or FAX (804) 371-7679.

### DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

#### Virginia State Apple Board

† **March 22, 2000 - 1 p.m.** -- Open Meeting

Department of Agriculture and Consumer Services, Harrisonburg Laboratory, 116 Reservoir Street, Harrisonburg, Virginia. ☎

A meeting to hear and approve the minutes from the last meeting and to hear presentations for grants, the board's current financial statement, and proposed marketing activities for FY 2000/2001. They will review FY 1999 tax collections and YTD collections for the 2000 crop. The board will entertain public comment at the conclusion of all other business for a period not to exceed 30 minutes. Any person who needs any accommodation in order to participate at the meeting should contact the person identified in this notice at least five days before the meeting date so that suitable arrangements can be made.

**Contact:** Nancy L. Israel, Secretary, Virginia State Apple Board, Department of Agriculture and Consumer Services, 1100 Bank Street, Suite 1012, Richmond, VA 23219, telephone (804) 371-6104, FAX (804) 371-7786.

#### Virginia Bright Flue-Cured Tobacco Board

**March 14, 2000 - 9:30 a.m.** -- Open Meeting

Sheldon's Restaurant, Business Route 15 and 360, Keysville, Virginia. ☎

A meeting to consider funding proposals for research, promotion, and education projects pertaining to Virginia flue-cured tobacco and other business that may come before the board. The board will entertain public comment at the conclusion of all other business for a period not to exceed 30 minutes. Any person who needs any accommodation in order to participate at the meeting should contact the person identified in this notice at least five days before the meeting date so that suitable arrangements can be made.

**Contact:** D. Stanley Duffer, Secretary, Virginia Bright Flue-Cured Tobacco Board, P.O. Box 129, Halifax, VA 24558, telephone (804) 572-4568 or FAX (804) 572-8234.

#### Virginia Horse Industry Board

† **April 17, 2000 - 8:30 a.m.** -- Open Meeting

Virginia Cooperative Extension, 168 Spotnap Road, Charlottesville, Virginia. ☎

The board will review grant proposals submitted for the 2000-2001 fiscal year and review the minutes of the last board meeting. The board will entertain public comment

at the conclusion of all other business for a period not to exceed 30 minutes. Any person who needs any accommodation in order to participate at the meeting should contact the person identified in this notice at least five days before the meeting date so that suitable arrangements can be made.

**Contact:** Andrea S. Heid, Equine Marketing Specialist/Program Manager, Department of Agriculture and Consumer Services, Washington Building, 1100 Bank Street, Suite 1004, Richmond, VA 23219, telephone (804) 786-5842 or FAX (804) 371-7786.

#### Virginia Peanut Board

† **March 23, 2000 - 10 a.m.** -- Open Meeting

Tidewater Agricultural Research and Extension Center, 6231 Holland Road, Suffolk, Virginia. ☎

A meeting to review peanut research projects for possible funding in 2000. The minutes of the last meeting will be heard and approved. The board's financial statement will be reviewed. The board will entertain public comment at the conclusion of all other business for a period not to exceed 30 minutes. Any person who needs any accommodation in order to participate at the meeting should contact the person identified in this notice at least five days before the meeting date so that suitable arrangements can be made.

**Contact:** Russell C. Schools, Program Director, Department of Agriculture and Consumer Services, P.O. Box 356, Capron, VA 23829, telephone (804) 658-4573 or FAX (804) 658-4531.

### STATE AIR POLLUTION CONTROL BOARD

#### Extension of Public Comment Period

NOTE: CHANGE IN HEARING DATE

**March 29, 2000 - 10 a.m.** -- Public Hearing

Department of Environmental Quality, Main Street Centre, 600 East Main Street, Lower Level, Conference Room, Richmond, Virginia.

**April 14, 2000** - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Air Pollution Control Board intends to promulgate regulations entitled: **9 VAC 5-510-10 et seq. Nonmetallic Mineral Processing General Permit.** The general permit establishes terms and conditions that form the legally enforceable basis for the implementation of all regulatory and statutory requirements applicable to new and existing emissions units in nonmetallic mineral mining facilities. Application for coverage under the general permit is voluntary; however, for any nonmetallic mineral processing facility to be covered by the general permit, all equipment and emissions units at a stationary source that make up the nonmetallic mineral processing facility shall be covered by the general permit. The general permit requires the

---

## Calendar of Events

---

owners of existing and new emissions units in the nonmetallic mineral processing industry to construct, modify, relocate and operate within the terms and conditions of the general permit. The terms and conditions of the general permit cover emission standards, emission testing, emission monitoring, recordkeeping, reporting, compliance and enforcement.

**Localities Affected:** There is no locality which will bear any identified disproportionate material air quality impact due to the proposed regulation which would not be experienced by other localities.

**Location of Proposal:** The proposal and any other supporting documents may be examined by the public at the department's Office of Air Regulatory Development (Eighth Floor), 629 East Main Street, Richmond, Virginia and the department's regional offices (listed below) between 8:30 a.m. and 4:30 p.m. of each business day until the close of the public comment period.

Southwest Regional Office  
Department of Environmental Quality  
355 Deadmore Street  
Abingdon, Virginia  
Ph: (540) 676-4800

West Central Regional Office  
Department of Environmental Quality  
3019 Peters Creek Road  
Roanoke, Virginia  
Ph: (540) 562-6700

Lynchburg Satellite Office  
Department of Environmental Quality  
7705 Timberlake Road  
Lynchburg, Virginia  
Ph: (804) 582-5120

Valley Regional Office  
Department of Environmental Quality  
4411 Early Road  
Harrisonburg, Virginia 22801  
Ph: (540) 574-7800

Fredericksburg Satellite Office  
Department of Environmental Quality  
806 Westwood Office Park  
Fredericksburg, Virginia  
Ph: (540) 899-4600

Northern Regional Office  
Department of Environmental Quality  
13901 Crown Court  
Woodbridge, Virginia  
Ph: (703) 583-3800

Piedmont Regional Office  
Department of Environmental Quality  
4949-A Cox Road  
Glen Allen, Virginia  
Ph: (804) 527-5020

Tidewater Regional Office  
Department of Environmental Quality  
5636 Southern Boulevard

Virginia Beach, Virginia  
Ph: (757) 518-2000

Statutory Authority: § 10.1-1308 of the Code of Virginia.

Public comments may be submitted until 4:30 p.m., April 14, 2000, to the Director, Office of Air Regulatory Development, Department of Environmental Quality, P.O. Box 10009, Richmond, Virginia 23240.

It is preferred that all comments be provided in writing to the department along with any supporting documents or exhibits; however, oral comments will be accepted at the hearing. Comments may be submitted by mail, facsimile transmission, or by personal appearance at the hearing mentioned below; however, all written comments not provided at the hearing must be submitted to the Director, Office of Air Regulatory Development, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240. Facsimile copies will be accepted only if followed by receipt of the original within one week. All testimony, exhibits and documents received are a matter of public record.

**Accessibility to Persons with Disabilities:** The hearing is being held at a public facility believed to be accessible to persons with disabilities. Any person with questions on the accessibility of the facility or who needs interpreter services should contact Alma Jenkins at the Office of Air Regulatory Development, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, or by telephone at (804) 698-4070 or TTY (804) 698-4021.

**Contact:** Robert Mann, Director, Office of Air Regulatory Development, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4419, FAX (804) 698-4510, toll-free 1-800-592-5482, or (804) 698-4021/TTY ☎

† **March 30, 2000 - 11 a.m.** -- Open Meeting  
General Assembly Building, 9th and Broad Streets, House Room C, Richmond, Virginia.

A regular meeting.

**Contact:** Cindy Berndt, Regulatory Coordinator, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4378, FAX (804) 698-4346, e-mail cberndt@deq.state.va.us.

### ALCOHOLIC BEVERAGE CONTROL BOARD

**March 13, 2000 - 9:30 a.m.** -- Open Meeting

**March 27, 2000 - 9:30 a.m.** -- Open Meeting

**April 10, 2000 - 9:30 a.m.** -- Open Meeting

**April 24, 2000 - 9:30 a.m.** -- Open Meeting

**May 8, 2000 - 9:30 a.m.** -- Open Meeting

**May 22, 2000 - 9:30 a.m.** -- Open Meeting

Department of Alcoholic Beverage Control, 2901 Hermitage Road, Richmond, Virginia. ☎

A meeting to receive reports from staff members, discuss activities, and discuss other matters not yet determined.

**Contact:** W. Curtis Coleburn, Secretary to the Board, Department of Alcoholic Beverage Control, 2901 Hermitage

Road, P.O. Box 27491, Richmond, VA 23261, telephone (804) 213-4409 or FAX (804) 213-4442.

### **ASSISTIVE TECHNOLOGY LOAN FUND AUTHORITY**

#### **Board of Directors**

† **March 16, 2000 - 10 a.m.** -- Open Meeting  
Department of Rehabilitative Services, 8004 Franklin Farms Drive, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A monthly meeting to review applications for low-cost loans for assistive technology purchases. Public comment is welcomed. Following the public meeting, the authority meets in closed session in order to protect the confidential information of applicants.

**Contact:** Gail Stubbs, Assistive Technology Loan Fund Authority, 8004 Franklin Farms Drive, telephone (804) 662-7331, FAX (804) 662-9139, toll-free (800) 552-5019, (804) 662-7331/TTY, e-mail stubbsgg@drs.state.va.us.

### **COMPREHENSIVE SERVICES FOR AT-RISK YOUTH AND THEIR FAMILIES**

#### **State Executive Council**

**March 29, 2000 - 9 a.m.** -- Open Meeting  
**April 26, 2000 - 9 a.m.** -- Open Meeting  
Department of Social Services, 730 East Broad Street, Training Room 3, Richmond, Virginia.

A monthly meeting to discuss interagency programmatic and fiscal policies, oversee the administration of funds appropriated under the Act, and advise the Governor.

**Contact:** Alan G. Saunders, Director, Comprehensive Services for At-Risk Youth and Their Families, Wythe Building, 1604 Santa Rosa Road, Suite 137, Richmond, VA 23229, telephone (804) 662-9815, FAX (804) 662-9831, e-mail ags992@central.dss.state.va.us.

### **CHESAPEAKE BAY LOCAL ASSISTANCE BOARD**

† **April 10, 2000 - 10 a.m.** -- Open Meeting  
Chesapeake Bay Local Assistance Department, James Monroe Building, 101 North 14th Street, 17th Floor, Conference Room, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A meeting to conduct general business, including review of local Chesapeake Bay Preservation Area programs. Public comment will be taken during the meeting. An agenda is available from the Chesapeake Bay Local Assistance Department.

**Contact:** Carolyn J. Elliott, Executive Secretary Senior, Chesapeake Bay Local Assistance Board, 101 North 14th

Street, Richmond, VA 23219, telephone (804) 371-7505, FAX (804) 225-3447, toll-free (800) 243-7229, (804) 243-7229/TTY, e-mail celliott@cblad.state.va.us.

### **Grants Committee**

† **March 28, 2000 - 1 p.m.** -- Open Meeting  
Chesapeake Bay Local Assistance Department, James Monroe Building, 101 North 14th Street, 17th Floor, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A meeting to consider the FY01 Competitive Grants Program applications for funding. No comments from the public will be entertained at the meeting; however, written comments are welcome.

**Contact:** Margaret H. Reynolds, Grants Administrator, Chesapeake Bay Local Assistance Board, 101 North 14th Street, Richmond, VA 23219, telephone (804) 371-0608, FAX (804) 225-3447, toll-free (800) 243-7229, (804) 243-7229/TTY, e-mail mreynolds@cblad.state.va.us.

### **COMPENSATION BOARD**

† **March 28, 2000 - 11 a.m.** -- Open Meeting  
Ninth Street Office Building, 202 North Ninth Street, 10th Floor, Richmond, Virginia.

A monthly board meeting.

**Contact:** Cynthia P. Waddell, Administrative Assistant, Compensation Board, P.O. Box 710, Richmond, VA 23218, telephone (804) 786-0786, FAX (804) 371-0235, e-mail cwaddell@scb.state.va.us.

### **DEPARTMENT OF CONSERVATION AND RECREATION**

#### **Claytor Lake State Park Master Plan Steering Committee**

† **March 16, 2000 - 6 p.m.** -- Open Meeting  
Howe House, Claytor Lake State Park, 4400 State Park Road, Dublin, Virginia. (Interpreter for the deaf provided upon request)

A meeting of the citizen steering committee to advise on preparation of the Claytor Lake State Park Master Plan. Requests for an interpreter for the deaf should be made two weeks prior to the meeting.

**Contact:** Richard Gibbons, Environmental Program Manager, Department of Conservation and Recreation, 203 Governor Street, Richmond, VA 23219, telephone (804) 736-4132, e-mail rgibbons@dcr.state.va.us.

---

## Calendar of Events

---

### Falls of the James Scenic River Advisory Board

† April 6, 2000 - Noon -- Open Meeting

† May 4, 2000 - Noon -- Open Meeting

Richmond City Hall, Planning Commission, Conference Room, 5th Floor, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A regular meeting. Requests for an interpreter for the deaf should be made two weeks prior to the meeting.

**Contact:** Leon E. App, Regulatory Coordinator, Department of Conservation and Recreation, 203 Governor Street, Suite 302, Richmond, VA 23219, telephone (804) 786-4570, FAX (804) 786-6141, e-mail [leonapp@dcr.state.va.us](mailto:leonapp@dcr.state.va.us).

### Virginia Soil and Water Conservation Board

† March 16, 2000 - 9 a.m. -- Open Meeting

Virginia Colonial Farm Credit, 7104 Mechanicsville Turnpike, Mechanicsville, Virginia. (Interpreter for the deaf provided upon request)

A regular business meeting. Public comment will be heard at the conclusion of official business.

**Contact:** Leon E. App, Regulatory Coordinator, Department of Conservation and Recreation, 203 Governor Street, Suite 302, Richmond, VA 23219, telephone (804) 786-4570, FAX (804) 786-6141, e-mail [leonapp@dcr.state.va.us](mailto:leonapp@dcr.state.va.us).

### BOARD FOR CONTRACTORS

† March 15, 2000 - 9 a.m. -- Open Meeting

Department of Professional and Occupational Regulation, 3600 West Broad Street, 4th Floor, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A regular meeting to address policy and procedural issues, review and render case decisions on matured complaints against licensees, and consider other matters which may require board action. The meeting is open to the public; however, a portion of the board's business may be discussed in closed meeting. The department fully complies with the Americans with Disabilities Act. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact Kelley L. Hellams.

**Contact:** Kelley L. Hellams, Assistant Director, Department of Professional and Occupational Regulation, 3600 West Broad Street, 4th Floor, Richmond, VA 23230-4917, telephone (804) 367-2785, FAX (804) 367-2474, (804) 367-9753/TTY, e-mail [contractors@dpor.state.va.us](mailto:contractors@dpor.state.va.us).

### BOARD OF CORRECTIONAL EDUCATION

† March 24, 2000 - 10 a.m. -- Open Meeting

Department of Correctional Education, James Monroe Building, 101 North 14th Street, 7th Floor, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A meeting to discuss general business.

**Contact:** Patty Ennis, Board Clerk, Board of Correctional Education, James Monroe Building, 101 North 14th Street, 7th Floor, Richmond, VA 23219, telephone (804) 225-3314, FAX (804) 786-7642, (804) 371-8647/TTY, e-mail [paennis@dce.state.va.us](mailto:paennis@dce.state.va.us).

### BOARD OF CORRECTIONS

March 14, 2000 - 10 a.m. -- Open Meeting

Board of Corrections, 6900 Atmore Drive, Board Room, Richmond, Virginia.

Committees of the board will meet as follows:

10 a.m. -- Liaison Committee

1 p.m. -- Correctional Services Committee

**Contact:** Barbara Fellows, Administrative Assistant, Board of Corrections, 6900 Atmore Drive, Richmond, VA 23225, telephone (804) 674-3235, FAX (804) 674-3130, e-mail [fellowsbl@vadoc.state.va.us](mailto:fellowsbl@vadoc.state.va.us).

† March 15, 2000 - 8:30 a.m. -- Open Meeting

Department of Corrections, 6900 Atmore Drive, Board Room, Richmond, Virginia.

A meeting of the Administration Committee to discuss administrative matters for possible presentation to the full board.

**Contact:** Barbara Fellows, Administrative Assistant, Board of Corrections, 6900 Atmore Drive, Richmond, VA 23225, telephone (804) 674-3235, FAX (804) 674-3130, e-mail [fellowsbl@vadoc.state.va.us](mailto:fellowsbl@vadoc.state.va.us).

† March 15, 2000 - 10 a.m. -- Open Meeting

Department of Corrections, 6900 Atmore Drive, Board Room, Richmond, Virginia.

A meeting to discuss matters that may be presented to the full board. Public comment will be received.

**Contact:** Barbara Fellows, Administrative Assistant, Board of Corrections, 6900 Atmore Drive, Richmond, VA 23225, telephone (804) 674-3235, FAX (804) 674-3130, e-mail [fellowsbl@vadoc.state.va.us](mailto:fellowsbl@vadoc.state.va.us).

### CRIMINAL JUSTICE SERVICES BOARD


† March 16, 2000 - 11 a.m. -- Open Meeting

General Assembly Building, 9th and Broad Streets, House Room D, Richmond, Virginia.

A meeting to discuss issues concerning the Department of Criminal Justice Services and criminal justice issues throughout the Commonwealth. The board will also consider a number of grant requests submitted by localities throughout the Commonwealth.

**Contact:** Karen Sullivan, Secretary, Criminal Justice Services Board, 805 East Broad Street, 10th Floor, Richmond, VA 23219, telephone (804) 786-7841, FAX (804) 786-0588, e-mail [ksullivan@dcjs.state.va.us](mailto:ksullivan@dcjs.state.va.us).

### Committee on Training


† **March 16, 2000 - 9 a.m.** -- Open Meeting  
General Assembly Building, 9th and Broad Streets, House  
Room D, Richmond, Virginia. 

A meeting to discuss criminal justice and law  
enforcement training issues concerning the  
Commonwealth.


**Contact:** George Gotschalk, Chief, Training and Standards  
Section, Criminal Justice Services Board, 805 East Broad  
Street, 10th Floor, Richmond, VA 23219, telephone (804)  
786-8001, FAX (804) 786-0410, e-mail ggotschalk@dcjs.  
state.va.us.

### BOARD OF DENTISTRY


#### Special Conference Committee

**March 17, 2000 - 9 a.m.** -- Open Meeting  
Department of Health Professions, 6606 West Broad Street,  
5th Floor, Richmond, Virginia.  (Interpreter for the deaf  
provided upon request)


An informal conference committee will hear disciplinary  
matters. No public comment will be heard.

**Contact:** Marcia J. Miller, Executive Director, Board of  
Dentistry, 6606 West Broad Street, Richmond, VA 23230-  
1717, telephone (804) 662-9906, FAX (804) 662-9943, (804)  
662-7197/TTY , e-mail mmiller@dhp.state.va.us.


### DESIGN-BUILD/CONSTRUCTION MANAGEMENT REVIEW BOARD

† **March 20, 2000 - 11 a.m.** -- Open Meeting  
† **April 17, 2000 - 11 a.m.** -- Open Meeting  
† **May 15, 2000 - 11 a.m.** -- Open Meeting  
The Library of Virginia, 800 East Broad Street, Richmond,  
Virginia.  (Interpreter for the deaf provided upon request)

A monthly meeting to review requests submitted by  
localities to use design-build or construction management  
type contracts. Please contact the Division of  
Engineering and Buildings of the Department of General  
Services to confirm meeting.

**Contact:** Katherine R. Bowen, Administrative Assistant,  
Department of General Services, 805 East Broad Street,  
Room 101, Richmond, VA 23219, telephone (804) 786-3263,  
FAX (804) 371-7934, (804) 786-6152/TTY , e-mail kbown  
@dgs.state.va.us.

### BOARD OF EDUCATION

**March 23, 2000 - 9 a.m.** -- Open Meeting  
James Monroe Building, 101 North 14th Street, Richmond,  
Virginia.  (Interpreter for the deaf provided upon request)

The Board of Education and the Board of Vocational  
Education will hold its regularly scheduled meeting.  
Business will be conducted according to items on the  
agenda. The agenda is available upon request.


**Contact:** Dr. Margaret Roberts, Executive Assistant for State  
Board of Education, Department of Education, Monroe  
Building, 101 North 14th Street, P.O. Box 2120, Richmond,  
VA 23218-2120, telephone (804) 225-2540, FAX (804) 225-  
2524 or toll-free (800) 292-3829.


\* \* \* \* \*

**March 17, 2000** - Public comments may be submitted until  
this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of  
the Code of Virginia that the State Board of Education  
intends to amend regulations entitled: **8 VAC 20-80-10  
et seq. Regulations Governing Special Education  
Programs for Children with Disabilities in Virginia**  
and **repeal** regulations entitled: **8 VAC 20-750-10 et  
seq. Special Education Program Standards**. These  
regulations ensure that Virginia complies with the  
Individuals with Disabilities Education Act (IDEA) (20  
USC § 1400 et seq.) and that all children with disabilities  
in the Commonwealth have available a free appropriate  
public education and procedural safeguards. The  
Special Education Program Standards, which provide  
special education teacher staffing and assignments, is  
being incorporated into the board of Virginia's special  
education regulations and is, therefore, being repealed.

Statutory Authority: §§ 22.1-16 and 22.1-214 of the Code of  
Virginia.


**Contact:** Catherine A. Pomfrey, Executive Secretary Senior,  
Department of Education, P.O. Box 2120, Richmond, VA  
23218-2120, telephone (804) 225-2402, FAX (804) 371-8796  
or (804) 371-2822/TTY 

**April 26, 2000 - 9 a.m.** -- Open Meeting  
**April 27, 2000 - 9 a.m.** -- Open Meeting  
† **April 28, 2000 - 9 a.m.** -- Open Meeting  
The Tides Lodge, 1 St. Andrews Lane, Irvington, Virginia.  (Interpreter for the deaf provided upon request)

An annual planning meeting and retreat. Persons  
requesting services of interpreter for the deaf are  
requested to do so in advance.

**Contact:** Dr. Margaret Roberts, Executive Assistant for State  
Board of Education, Department of Education, Monroe  
Building, 101 North 14th Street, P.O. Box 2120, Richmond,  
VA 23218-2120, telephone (804) 225-2540, FAX (804) 225-  
2524 or toll-free (800) 292-3829.

† **April 3, 2000 - 7 p.m.** -- Public Hearings  
Lee-Davis High School, 7052 Mechanicsville Turnpike,  
Mechanicsville, Virginia.  (Interpreter for the deaf provided  
upon request)

Edison High School, 5801 Franconia Road, Alexandria,  
Virginia.  (Interpreter for the deaf provided upon request)

---

## Calendar of Events

---

Princess Anne High School, 4400 Virginia Beach Boulevard, Virginia Beach, Virginia.☎ (Interpreter for the deaf provided upon request)

Martinsville High School, 351 Commonwealth Boulevard, Martinsville, Virginia.☎ (Interpreter for the deaf provided upon request)

Marion Senior High School, 848 Stage Street, Marion, Virginia.☎ (Interpreter for the deaf provided upon request)

At its meeting on January 6, 2000, the Virginia Board of Education approved for first review Standards of Learning for Visual Arts, Dance Arts, Theatre Arts, Music, and Foreign Language. These documents are available at [www.pen.k12.va.us/VDOE/Instruction/tocontents.html](http://www.pen.k12.va.us/VDOE/Instruction/tocontents.html). Written comments may be submitted by mail or e-mail. Persons requesting services of an interpreter for the deaf should do so in advance. Registration for speakers begins at 6:30 p.m. Speakers are limited to three minutes each. A written copy of comments is requested but not required.

**Contact:** Dr. Margaret N. Roberts, Office of Policy, Board of Education, P.O. Box 2120, 101 North 14th Street, 25th Floor, Richmond, VA 23219, telephone (804) 225-2540, FAX (804) 225-2524, e-mail [mroberts@mail.vak12ed.edu](mailto:mroberts@mail.vak12ed.edu).

† **May 25, 2000 - 9 a.m.** -- Open Meeting  
Location to be announced.☎ (Interpreter for the deaf provided upon request)

A summit for the fine arts. Persons requesting services of interpreter for the deaf are requested to do so in advance.

**Contact:** Dr. Margaret N. Roberts, Office of Policy, Board of Education, P.O. Box 2120, 101 North 14th Street, 25th Floor, Richmond, VA 23219, telephone (804) 225-2540, FAX (804) 225-2524, e-mail [mroberts@mail.vak12ed.edu](mailto:mroberts@mail.vak12ed.edu).

† **May 26, 2000 - 9 a.m.** -- Open Meeting  
Location to be announced.☎ (Interpreter for the deaf provided upon request)

A regular business meeting. Persons requesting services of interpreter for the deaf are requested to do so in advance.

**Contact:** Dr. Margaret N. Roberts, Office of Policy, Board of Education, P.O. Box 2120, 101 North 14th Street, 25th Floor, Richmond, VA 23219, telephone (804) 225-2540, FAX (804) 225-2524, e-mail [mroberts@mail.vak12ed.edu](mailto:mroberts@mail.vak12ed.edu).

### DEPARTMENT OF ENVIRONMENTAL QUALITY

**March 14, 2000 - 7 p.m.** -- Open Meeting  
Pence Middle School Auditorium, Bowman Road, Dayton, Virginia.

The second public meeting to receive comments on the development of the nitrate TMDL for Muddy Creek, a tributary of the North River in Rockingham County.

**Contact:** Rod Bodkin, Department of Environmental Quality, 4411 Early Road, Harrisonburg, VA 22801, telephone (540)

574-7801, FAX (540) 574-7878, (804) 698-4021/TTY ☎, e-mail [rvbodkin@deq.state.va.us](mailto:rvbodkin@deq.state.va.us).

**March 15, 2000 - 1 p.m.** -- Open Meeting  
Panthers Den (basement of Franklin Hall), Ferrum College, Ferrum, Virginia.

The third public meeting on the development of the Blackwater River fecal coliform bacteria TMDL for four impaired stream segments in Franklin County.

**Contact:** Clint Boschen, Department of Environmental Quality, 3019 Peters Creek Road, Roanoke, VA 24019, telephone (540) 562-6724, FAX (540) 562-6729, (804) 698-4021/TTY ☎, e-mail [cjboschen@deq.state.va.us](mailto:cjboschen@deq.state.va.us).

**March 16, 2000 - 7 p.m.** -- Open Meeting  
Bedford Elementary School, 806 Burkshill Road, Bedford, Virginia.

The first public meeting on the development of the Otters fecal coliform bacteria TMDLs for impaired stream segments located in Bedford and Campbell Counties. The stream segments are Sheeps Creek, Elk Creek, Little Otter Creek, Machine Creek and the Big Otter River.

**Contact:** Clint Boschen, Department of Environmental Quality, 3019 Peters Creek Road, Roanoke, VA 24019, telephone (540) 562-6724, FAX (540) 562-6729, (804) 698-4021/TTY ☎, e-mail [cjboschen@deq.state.va.us](mailto:cjboschen@deq.state.va.us).

† **March 28, 2000 - 7 p.m.** -- Open Meeting  
Pence Middle School Auditorium, Bowman Road, Dayton, Virginia.

The third public meeting on the development of the North River tributaries fecal coliform bacteria TMDL: Dry River, Mill Creek, and Pleasant Run. The tributaries are located in Rockingham County.

**Contact:** Rod Bodkin, Department of Environmental Quality, 4411 Early Road, Harrisonburg, VA 22801, telephone (540) 574-7801, FAX (540) 574-7878, e-mail [rvbodkin@deq.state.va.us](mailto:rvbodkin@deq.state.va.us).

† **March 30, 2000 - 7 p.m.** -- Open Meeting  
Patrick Henry High School Auditorium, 31437 Hillman Highway, Glade Spring, Virginia.

The third public meeting on the development of the fecal coliform bacteria TMDL for four impaired segments located in Washington County: Byers Creek, Cedar Creek, Hall Creek and Hutton Creek.

**Contact:** Nancy Norton, Department of Environmental Quality, P.O. Box 1688 Abingdon, VA 24212, telephone (540) 676-4807, FAX (540) 676-4899, e-mail [ntnorton@deq.state.va.us](mailto:ntnorton@deq.state.va.us).

### Virginia Ground Water Protection Steering Committee

**March 21, 2000 - 9 a.m.** -- Open Meeting  
Department of Environmental Quality, 629 East Main Street, 10th Floor Conference Room, Richmond, Virginia.☎

Anyone interested in ground water protection issues is welcome to attend the meeting. Meeting minutes and agenda are available from the contact person below.

**Contact:** Mary Ann Massie, Environmental Program Planner, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240-0009, telephone (804) 698-4042, FAX (804) 698-4032 or (804) 698-4021/TTY ☎, e-mail mamassie@deq.state.va.us.

### BOARD OF FUNERAL DIRECTORS AND EMBALMERS

**March 15, 2000 - 9 a.m.** -- Open Meeting  
Department of Health Professions, 6606 West Broad Street, 5th Floor, Room 3, Richmond, Virginia ♿

A meeting of the Legislative Committee to discuss legislative proposals for the General Assembly 2001. There will be a 15-minute public comment period.

**Contact:** Cheri Emma-Leigh, Administrative Staff Assistant, Board of Funeral Directors and Embalmers, 6606 West Broad Street, 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9907, FAX (804) 662-9523, e-mail CEmma-Leigh@dhp.state.va.us.

### DEPARTMENT OF GAME AND INLAND FISHERIES

**March 15, 2000 - 7 p.m.** -- Public Hearing  
Sandy Bottom Nature Park, 1255 Big Bethel Road, Hampton, Virginia ♿ (Interpreter for the deaf provided upon request)

**March 21, 2000 - 7 p.m.** -- Public Hearing  
Smyth-Bland Regional Library, 1180 South Sheffey Street, Marion, Virginia ♿ (Interpreter for the deaf provided upon request)

**March 23, 2000 - 7 p.m.** -- Public Hearing  
Department of Game and Inland Fisheries, Staunton Regional Office, 4725 Lee Highway, Verona, Virginia ♿ (Interpreter for the deaf provided upon request)

**March 27, 2000 - 7 p.m.** -- Public Hearing  
Salem Church Library, 2607 Salem Church Road, Fredericksburg, Virginia ♿ (Interpreter for the deaf provided upon request)

**March 28, 2000 - 7 p.m.** -- Public Hearing  
Forest Branch Library, 15583 Forest Road, Lynchburg, Virginia ♿ (Interpreter for the deaf provided upon request)

The Department of Game and Inland Fisheries (DGIF) is hosting five public meetings in March 2000 to discuss Virginia's wildlife diversity (i.e., wildlife other than in the context of hunting, trapping, or fishing) regulations and agency programs with interested parties. Interested individuals are invited to join the DGIF staff to discuss these subjects. Public comments and suggestions received will be considered by staff as they refine current programs, develop new ones, and develop staff recommendations for amendments to wildlife diversity regulations. Agency staff will present such

recommendations to the Board of Game and Inland Fisheries at its August 2000 meeting as part of the regular biennial review of wildlife diversity regulations.

**Contact:** Phil Smith, Policy Analyst, Department of Game and Inland Fisheries, 4010 West Broad Street, Richmond, VA 23230, telephone (804) 367-1000 or FAX (804) 367-0488.

### DEPARTMENT OF HEALTH

#### Biosolids Use Information Committee

**March 14, 2000 - 1 p.m.** -- Open Meeting  
UVA Richmond Center, 7740 Shrader Road, Suite E, Richmond, Virginia ♿

A meeting to discuss issues concerning the agricultural use of biosolids, as provided by the Biosolids Use Regulations, including the land application, marketing or distribution of biosolids. The committee will meet immediately following the Biosolids Use Regulations Advisory Committee meeting, if held, otherwise, the meeting will begin at 10 a.m.

**Contact:** C. M. Sawyer, Director, Division of Wastewater Engineering, Department of Health, P.O. Box 2448, Richmond, VA 23218, telephone (804) 786-1755 or FAX (804) 786-5567.

#### Biosolids Use Regulations Advisory Committee

**March 14, 2000 - 10 a.m.** -- Open Meeting  
UVA Richmond Center, 7740 Shrader Road, Suite E, Richmond, Virginia ♿

A meeting to discuss issues concerning the implementation of the Biosolids Use Regulations involving land application, distribution, or marketing of biosolids.

**Contact:** C.M. Sawyer, Director, Division of Wastewater Engineering, Department of Health, P.O. Box 2448, Richmond, VA 23218, telephone (804) 786-1755 or FAX (804) 786-5567.

#### Sewage Handling and Disposal Regulation Advisory Committee

**† March 16, 2000 - 10 a.m.** -- Public Hearing  
Department of Health, Main Street Station, 1500 East Main Street, Room 115, Richmond, Virginia ♿

A public hearing to consider amendments to 12 VAC 5-610-10 et seq., Sewage Handling and Disposal Regulations.

**Contact:** Donna Tiller, Executive Secretary, Department of Health, Main Street Station, 1500 East Main Street, Richmond, VA 23219, telephone (804) 786-1620, e-mail dtiller@vdh.state.va.us.


---

# Calendar of Events

---

## DEPARTMENT OF HEALTH PROFESSIONS

**April 8, 2000 - 9 a.m.** -- Open Meeting


Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 4, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

The Health Practitioners' Intervention Program Committee will meet with its contractor and representatives to review reports, policies and procedures for the Health Practitioner's Intervention Program. The committee will meet in open session for general discussion of the program. The committee may meet in executive sessions for the purpose of consideration of specific requests from applicants to or participants in the program.


**Contact:** John W. Hasty, Director, Department of Health Professions, 6606 West Broad Street, 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9424, FAX (804) 662-9114 or (804) 662-7197/TTY 

## BOARD FOR HEARING AID SPECIALISTS

**April 4, 2000 - 8:30 a.m.** -- Open Meeting

Department of Professional and Occupational Regulation, 3600 West Broad Street, 4th Floor, Richmond, Virginia.  (Interpreter for the deaf provided upon request)


An open meeting to discuss regulatory review, disciplinary cases and other matters requiring board action. A public comment period will be held at the beginning of the meeting. All meetings are subject to cancellation. The time of the meeting is subject to change. Any persons desiring to attend the meeting and requiring special accommodations or interpretative services should contact the department at least 10 days prior to the meeting so that suitable arrangements can be made. The department fully complies with the Americans with Disabilities Act.

**Contact:** Nancy Taylor Feldman, Assistant Director, Department of Professional and Occupational Regulation, 3600 West Broad Street, 4th Floor, Richmond, VA 23230-4917, telephone (804) 367-8590, FAX (804) 367-2474, (804) 367-9753/TTY , e-mail hearingaidspec@dpor.state.va.us.

## STATE COUNCIL OF HIGHER EDUCATION FOR VIRGINIA

**March 14, 2000 - 9 a.m.** -- Open Meeting

**April 11, 2000 - 9 a.m.** -- Open Meeting


State Council of Higher Education, James Monroe Building, 101 North 14th Street, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A teleconferenced meeting. Locations available include McGuire, Woods, Battle and Boothe, World Trade Center, Suite 9000, Norfolk, Virginia, and 420 Park Street, Charlottesville, Virginia. Time may vary.


**Contact:** Kathy R. Robinson, Executive Secretary Senior, State Council of Higher Education for Virginia, James Monroe

Building, 101 North 14th Street, Richmond, VA 23219, telephone (804) 225-2628, FAX (804) 225-2638, e-mail robinson@schev.edu.

**March 21, 2000 - 8:30 a.m.** -- Open Meeting

Longwood College, Farmville, Virginia.  (Interpreter for the deaf provided upon request)

**† April 18, 2000 - 9 a.m.** -- Open Meeting

The College of William and Mary, Williamsburg, Virginia.  (Interpreter for the deaf provided upon request)


A monthly meeting.

**Contact:** Kathy R. Robinson, Executive Secretary Senior, State Council of Higher Education for Virginia, James Monroe Building, 101 North 14th Street, Richmond, VA 23219, telephone (804) 225-2628, FAX (804) 225-2638, e-mail robinson@schev.edu.


## DEPARTMENT OF HISTORIC RESOURCES

### Board of Historic Resources and State Review Board

**March 15, 2000 - 10 a.m.** -- Open Meeting

Dorey Park Recreation Center, 7200 Dorey Park Road, Richmond, Virginia. 

A quarterly meeting to consider (i) completed and proposed reports for the National Register of Historic Places and the Virginia Landmarks Register and (ii) easements and highway markers.

**Contact:** June Ellis, National Register Specialist, Department of Historic Resources, 2801 Kensington Avenue, Richmond, VA 23221, telephone (804) 367-2323/ext. 116, FAX (804) 367-2391 or (804) 367-2386/TTY 

## BOARD OF HOUSING AND COMMUNITY DEVELOPMENT

**April 14, 2000** - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Board of Housing and Community Development intends to amend regulations entitled: **13 VAC 5-21-10 et seq. Virginia Certification Standards.** The proposed amendments (i) clarify the requirements for combination inspectors to obtain a certificate of competence; (ii) permit the issuance of provisional certificates under certain conditions; (iii) permit the board to appoint an advisory peer review committee to advise the board concerning proposed sanctions against a certificate holder; (iv) allow the board to impose sanctions on certificate holders under certain conditions; and (v) allow administrative appeals to the Technical Review Board to resolve disputes.

Statutory Authority: §§ 36-98.3 and 36-137 of the Code of Virginia.



**Contact:** George W. Rickman, Jr., Regulatory Coordinator, Department of Housing and Community Development, The Jackson Center, 501 North Second Street, Richmond, VA 23219-1321, telephone (804) 371-7180, FAX (804) 371-9092 or (804) 371-7089/TTY ☎

\* \* \* \* \*

**April 14, 2000** - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Board of Housing and Community Development intends to amend regulations entitled: **13 VAC 5-51-10 et seq. Virginia Statewide Fire Prevention Code.** The proposed amendments (i) require the fire code official to enforce the provision of the building code regarding maintenance of smoke detectors in certain dwellings; (ii) require the fire code official to enforce the provision of the Virginia Uniform Statewide Building Code (13 VAC 5-61-10 et seq.) regarding installation of fire extinguishers and smoke detectors in state regulated facilities (Use Groups R-2, R-3 and R-4 only); (iii) amend the provision concerning the appointment of local assistant fire marshals to conform with state law; (iv) address a potential safety problem with an already installed fire sprinkler device that may not function properly during a fire situation; (v) add a requirement for fire exit drills to be conducted at state regulated care facilities at least 12 times per year with not less than six of the drills being unannounced; (vi) delete all references regarding regulation of transportation of explosive materials and add a reference to Regulations Governing the Transportation of Hazardous Materials (9 VAC 20-110-10 et seq.); (vii) amend the definition of fireworks to conform with the Code of Virginia; and (viii) allow the storage of motor fuels in aboveground tanks at public service stations when the installation meets the National Fire Protection Association standard.

Statutory Authority: §§ 27-97 of the Code of Virginia.

**Contact:** George W. Rickman, Jr., Regulatory Coordinator, Department of Housing and Community Development, The Jackson Center, 501 North Second Street, Richmond, VA 23219-1321, telephone (804) 371-7180, FAX (804) 371-9092 or (804) 371-7089/TTY ☎

\* \* \* \* \*

**April 14, 2000** - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Board of Housing and Community Development intends to amend regulations entitled: **13 VAC 5-61-10 et seq. Virginia Uniform Statewide Building Code.** The proposed amendments (i) require that persons under contract to a local building department for enforcement of the USBC be certified and attend periodic training courses as designated by the Department of Housing and Community Development and such other training as designated by the local

governing body in the same manner as required for employees; (ii) allow for exceptions to filing duplicate construction documents when the already submitted construction documents and site plans were approved for identical structures in the same development and for dwellings with reverse floor plans; (iii) clarify that the code official's approval of construction documents is limited to only those items that are within the scope of the USBC; (iv) require that certain measures be taken in the construction of one- and two-family homes in counties or cities with an average residential radon level greater than 4 picoCuries per liter; (v) require that building officials ensure that exterior insulation and finish systems are installed correctly; (vi) clarify that building code officials are allowed to accept third party reviews of construction documents; (vii) require that for new construction, fire walls, fire separation assemblies, fire partitions, and smoke barriers are to be marked with language warning against the creation of holes, and that the warnings must be no more than eight feet apart, above ceilings and at all ceiling access doors; (viii) provide an exemption for the requirement of fire sprinkler systems in certain types of closets; (ix) provide an exemption from the requirement that a toilet be provided when the structure or tenant space has an occupant load less than 150 and food and beverages are neither served nor consumed on the premises; (x) provide an exemption from a requirement that separate-sex toilet facilities be provided when the mercantile space is less than 5,000 square feet; and (xi) require that, in new construction of buildings four stories or more, at least one elevator be provided for emergency access to all floors, be sized to accommodate an ambulance stretcher, and be identified by the emergency medical services international symbol (star of life).

Statutory Authority: § 36-98 of the Code of Virginia.

**Contact:** George W. Rickman, Jr., Regulatory Coordinator, Department of Housing and Community Development, The Jackson Center, 501 North Second Street, Richmond, VA 23219-1321, telephone (804) 371-7180, FAX (804) 371-9092 or (804) 371-7089/TTY ☎

### DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

#### State Building Code Technical Review Board

**March 17, 2000 - 10 a.m.** -- Open Meeting

The Jackson Center, 501 North 2nd Street, 1st Floor Conference Room, Richmond, Virginia.☎ (Interpreter for the deaf provided upon request)

A meeting to hear administrative appeals concerning building and fire codes and other regulations of the Department of Housing and Community Development. The board also issues interpretations and formalizes recommendations to the Board of Housing and Community Development concerning future changes to the regulations.

---

## Calendar of Events

---

**Contact:** Vernon W. Hodge, Secretary, Office of the Review Board, 501 North 2nd Street, Richmond, VA 23219-1321, telephone (804) 371-7180 or (804) 371-7089/TTY ☎

### VIRGINIA HOUSING DEVELOPMENT AUTHORITY

† **March 22, 2000 - 11 a.m.** -- Open Meeting  
Virginia Housing Development Authority, 601 South Belvidere Street, Richmond, Virginia. ♿

A regular meeting of the Board of Commissioners to (i) review and, if appropriate, approve the minutes from the prior monthly meeting; (ii) consider for approval and ratification mortgage loan commitments under its various programs; (iii) review the authority's operations for the prior month; and (iv) consider such other matters and take such other actions as it may deem appropriate. Various committees of the board may also meet before or after the regular meeting and consider matters within their purview. The planned agenda of the meeting will be available at the offices of the authority one week prior to the date of the meeting.

**Contact:** J. Judson McKellar, Jr., General Counsel, Virginia Housing Development Authority, 601 South Belvidere Street, Richmond, VA 23220, telephone (804) 343-5540, FAX (804) 783-6701, toll-free (800) 968-7837, or (804) 783-6705/TTY ☎

### STATEWIDE INDEPENDENT LIVING COUNCIL

**April 5, 2000 - 1 p.m.** -- Open Meeting  
Independence Empowerment Center, 9001 Bigges Road, Suite 103, Manassas, Virginia. ♿ (Interpreter for the deaf provided upon request)

A quarterly meeting. Committee meetings will also be held.

**Contact:** James A. Rothrock, Statewide Independent Living Council Staff, 1802 Marroit Road, Richmond, VA 23229, telephone (804) 673-0119 or FAX (804) 282-7118.

### DEPARTMENT OF LABOR AND INDUSTRY

#### Virginia Apprenticeship Council

**March 16, 2000 - 10 a.m.** -- Open Meeting  
Hermitage High School Technical Center, 8301 Hungary Spring Road, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

Agenda items include subcommittee report, report on periodic review of regulations, report of the Virginia Apprenticeship Standards Committee, VCCS Related Instruction Report, USDOL-BAT report, DOLI report, and Apprenticeship Program report.

The council will have an informational retreat for members beginning at noon. This will follow the

adjournment of the regular council meeting. Note: No formal vote will be taken during this retreat.

Agenda for the afternoon session is chairman comments, member comments, history and recommendations - Subcommittee (exemption from examination), history and recommendations - Standards Subcommittee, and general discussion on council's future direction.

**Contact:** Beverley Donati, Assistant Program Director, Department of Labor and Industry, Powers-Taylor Building, 13 South Thirteenth Street, Richmond, VA 23219, telephone (804) 786-2382, FAX (804) 786-8418, (804) 786-2376/TTY ☎, e-mail bgd@doli.state.va.us, homepage <http://www.dli.state.va.us>.

### STATE LIBRARY BOARD

**March 13, 2000 - 8:15 a.m.** -- Open Meeting  
The Library of Virginia, 800 East Broad Street, Richmond, Virginia. ♿

A meeting to discuss matters pertaining to The Library of Virginia and the State Library Board.

The following committees will meet at 8:15 a.m.:

Public Library Development Committee (Orientation Room)  
Publications and Educational Services Committee (Conference Room B)  
Records Management Committee (Conference Room C).

The following committees will meet at 9:30 a.m.:

Archival and Information Services Committee (Orientation Room)  
Collection Management Services Committee (Conference Room B)  
Legislative and Finance Committee (Conference Room C).

The full board will meet in the conference room on 2M at 10:30 a.m. Public comment will be received at approximately 11 a.m.

**Contact:** Jean H. Taylor, Executive Secretary Senior, The Library of Virginia, 800 East Broad Street, Richmond, VA 23219-8000, telephone (804) 692-3535, FAX (804) 692-3594, (804) 692-3976/TTY ☎, e-mail jtaylor@vsla.edu, homepage <http://www.lva.lib.va.us>.

### LITTER CONTROL AND RECYCLING FUND ADVISORY BOARD

**March 21, 2000 - 10 a.m.** -- Open Meeting  
701 East Franklin Street, Lower Level Conference Room, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A meeting to promote the control, prevention, and elimination of litter from the Commonwealth and to encourage recycling and advise the Director of the

Department of Environmental Quality on other litter control and recycling matters.

**Contact:** Michael P. Murphy, Director, Environmental Enhancement, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240-0009, telephone (804) 698-4003, FAX (804) 698-4319, toll-free 1-800-592-5482, (804) 698-4021/TTY ☎ or e-mail [mpmurphy@deq.state.va.us](mailto:mpmurphy@deq.state.va.us).

### COMMISSION ON LOCAL GOVERNMENT

**March 13, 2000 - 10:30 a.m.** -- Open Meeting  
Windsor area; site to be determined.

Oral presentations regarding the Town of Windsor - Isle of Wight County voluntary settlement agreement. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact the commission.

**Contact:** Barbara W. Bingham, Administrative Assistant, Commission on Local Government, 900 East Main Street, Suite 103, Richmond, VA 23219-3513, telephone (804) 786-6508, FAX (804) 371-7999, (800) 828-1120/TTY ☎, e-mail [bbingham@clg.state.va.us](mailto:bbingham@clg.state.va.us), homepage <http://www.state.va.us/clg>.

**March 13, 2000 - 3 p.m.** -- Open Meeting  
Windsor area; site to be determined.

A regular meeting to consider such matters as may be presented. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact the commission.

**Contact:** Barbara W. Bingham, Administrative Assistant, Commission on Local Government, 900 East Main Street, Suite 103, Richmond, VA 23219-3513, telephone (804) 786-6508, FAX (804) 371-7999, (800) 828-1120/TTY ☎, e-mail [bbingham@clg.state.va.us](mailto:bbingham@clg.state.va.us), homepage <http://www.state.va.us/clg>.

**March 13, 2000 - 7 p.m.** -- Public Hearing  
Windsor area; site to be determined.

A public hearing regarding the Town of Windsor - Isle of Wight County voluntary settlement agreement. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact the commission.

**Contact:** Barbara W. Bingham, Administrative Assistant, Commission on Local Government, 900 East Main Street, Suite 103, Richmond, VA 23219-3513, telephone (804) 786-6508, FAX (804) 371-7999, (800) 828-1120/TTY ☎, e-mail [bbingham@clg.state.va.us](mailto:bbingham@clg.state.va.us), homepage <http://www.state.va.us/clg>.

### LONGWOOD COLLEGE

**† April 13, 2000 - 2 p.m.** -- Open Meeting  
Longwood College, Lancaster 215, Farmville, Virginia. ♿

A meeting of the Executive Committee of the Board of Visitors to conduct routine business.

**Contact:** Jeanne Hayden, Administrative Staff Assistant, Longwood College, Office of the President, Longwood College, 201 High Street, Farmville, VA 23909, telephone (804) 395-2004, FAX (804) 395-2821, toll-free (800) 281-4677, e-mail [jhayden@longwood.lwc.edu](mailto:jhayden@longwood.lwc.edu).

### VIRGINIA MANUFACTURED HOUSING BOARD

**† March 16, 2000 - 10 a.m.** -- Open Meeting  
Department of Housing and Community Development, The Jackson Center, 501 North Second Street, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A monthly meeting to hear and act on manufactured housing license applications, complaints involving manufactured housing, and claims against licensed dealers and manufacturers.

**Contact:** Curtis L. McIver, Associate Director, Virginia Manufactured Housing Board, State Building Code Administrative Office, 501 North 2nd Street, Richmond, VA 23219, telephone (804) 371-7160, FAX (804) 371-7092, (804) 371-7089/TTY ☎, e-mail [cmciver@dhcd.state.va.us](mailto:cmciver@dhcd.state.va.us).

### MARINE RESOURCES COMMISSION

**March 28, 2000 - 9:30 a.m.** -- Open Meeting  
Marine Resources Commission, 2600 Washington Avenue, Room 403, Newport News, Virginia. ♿ (Interpreter for the deaf provided upon request)

The commission will hear and decide the following marine environmental matters beginning at 9:30 a.m.: permit applications for projects in wetlands, bottom lands, coastal primary sand dunes and beaches; appeals of local wetland board decisions; and policy and regulatory issues. The commission will hear and decide the following fishery management items beginning at approximately noon: regulatory proposals; fishery management plans; fishery conservation issues; licensing; and shellfish leasing. Meetings are open to the public. Testimony will be taken under oath from parties addressing agenda items on permits and licensing. Public comments will be taken on resource matters, regulatory issues and items scheduled for public hearing.

**Contact:** LaVerne Lewis, Secretary to the Commission, Marine Resources Commission, P.O. Box 756, Newport News, VA 23607-0756, telephone (757) 247-2261, toll-free (800) 541-4646 or (757) 247-2292/TTY ☎

---

# Calendar of Events

---

## DEPARTMENT OF MEDICAL ASSISTANCE SERVICES

**March 17, 2000** - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Medical Assistance Services intends to amend regulations entitled: **Program for All-Inclusive Care for the Elderly - PACE: 12 VAC 30-10-10 et seq. State Plan Under Title XIX of the Social Security Act Medical Assistance Program; General Provisions; 12 VAC 30-50-10 et seq. Amount, Duration, and Scope of Medical and Remedial Care Services; 12 VAC 30-120-10 et seq. Waivered Services.** These proposed regulations provide for the creation of Medicaid coverage of PACE services (Program of All-Inclusive Care for the Elderly). These regulations link all types of medical care that frail, elderly individuals might need through a system of care management. This program has been modeled after the On Lok program in California.

Statutory Authority: § 32.1-325 of the Code of Virginia.

Public comments may be submitted until March 17, 2000, to T. C. Jones, Analyst, LTC-Appeals Division, Department of Medical Assistance Services, 600 East Broad Street, Suite 1300, Richmond, Virginia 23219.

**Contact:** Victoria Simmons, Regulatory Coordinator, Department of Medical Assistance Services, 600 East Broad Street, Suite 1300, Richmond, VA 23219, telephone (804) 786-7959 or FAX (804) 786-1680.

\*\*\*\*\*

**March 17, 2000** - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Medical Assistance Services intends to amend regulations entitled: **12 VAC 30-70-10 et seq. Methods and Standards for Establishing Payment Rates; Inpatient Hospital Care (Diagnosis Related Groups).** The proposed regulations amend the existing inpatient hospital payment methodology regulations to remove transition period rules and fully implement the new Diagnosis Related Grouping (DRG) methodology. These amendments fulfill a directive by the 1996 Session of the General Assembly to implement a DRG methodology (Chapter 912, Item 322 J) and the settlement terms of a case brought under the federal Boren Amendment which required DMAS and the then Virginia Hospital Association to jointly develop a replacement reimbursement method.

Statutory Authority: § 32.1-325 of the Code of Virginia.

Public comments may be submitted until March 17, 2000, to Stan Fields, Director of Cost Settlement, Department of Medical Assistance Services, 600 East Broad Street, Suite 1300, Richmond, Virginia 23219.

**Contact:** Victoria Simmons, Regulatory Coordinator, Department of Medical Assistance Services, 600 East Broad Street, Suite 1300, Richmond, VA 23219, telephone (804) 786-7959 or FAX (804) 786-1680.

\*\*\*\*\*

**April 14, 2000** - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Medical Assistance Services intends to amend regulations entitled: **12 VAC 30-80-10 et seq. Methods and Standards for Establishing Payment Rates; Other Types of Care.** The purpose of the proposed amendment is to repeal certain obstetric and pediatric procedures from the State Plan.

Statutory Authority: § 32.1-325 of the Code of Virginia.

Public comments may be submitted until April 14, 2000, to Bobby Powell, Program Operations, Department of Medical Assistance Services, 600 East Broad Street, Suite 1300, Richmond, VA 23219.

**Contact:** Victoria P. Simmons, Regulatory Coordinator, Department of Medical Assistance Services, 600 East Broad Street, Suite 1300, Richmond, VA 23219, telephone (804) 786-7959 or FAX (804) 786-1680.

## Drug Utilization Review Board

**† May 11, 2000 - 2 p.m.** -- Open Meeting

Department of Medical Assistance Services, 600 East Broad Street, Suite 1300, Board Room, Richmond, Virginia. ☎

A routine business meeting.

**Contact:** Marianne Rollings, DUR Coordinator, Department of Medical Assistance Services, 600 East Broad Street, Suite 1300, Richmond, VA 23219, telephone (804) 225-4268, FAX (804) 786-1680, (800) 343-0634/TTY ☎, e-mail MROLLINGS@dmas.state.va.us.

## Medicaid Pharmacy Liaison Committee

**April 3, 2000 - 1 p.m.** -- Open Meeting

Department of Medical Assistance Services, 600 East Broad Street, Suite 1300, Board Room, Richmond, Virginia. ☎

A routine meeting.

**Contact:** Marianne Rollings, Coordinator, Department of Medical Assistance Services, 600 East Broad Street, Suite 1300, Richmond, VA 23219, telephone (804) 225-4268, FAX (804) 786-1680, (800) 343-0634/TTY ☎, e-mail mrollings@dmas.state.va.us.

## BOARD OF MEDICINE

### Advisory Committee on Acupuncture

† May 10, 2000 - 9 a.m. -- Open Meeting

Department of Health Professions, 6606 West Broad Street, 5th Floor, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A meeting to discuss regulatory review of 18 VAC 85-110-10 et seq., Regulations Governing the Practice of Licensed Acupuncturists, and such other issues which may be presented. The advisory committee will entertain public comments during the first 15 minutes on agenda items.

**Contact:** William L. Harp, M.D., Executive Director, Board of Medicine, 6606 West Broad Street, 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9960, FAX (804) 662-9517 or (804) 662-7197/TTY

### Advisory Board on Athletic Training

March 23, 2000 - 1 p.m. -- Open Meeting

Department of Health Professions, 6606 West Broad Street, 5th Floor, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A meeting to discuss the establishment of regulations mandated by § 54.1-2957.5 of the Code of Virginia.

**Contact:** William L. Harp, M.D., Executive Director, Board of Medicine, 6606 West Broad Street, 4th Floor, Richmond, VA 23230, telephone (804) 662-9960, FAX (804) 662-9517 or (804) 662-7197/TTY

### Executive Committee

April 7, 2000 - 8 a.m. -- Open Meeting

Department of Health Professions, 6606 West Broad Street, 5th Floor, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A meeting will be held in open and closed session to review disciplinary files requiring administrative action, adopt amendments and approve for promulgation regulations as presented, interview applicants, and act on other issues that come before the board. The chairman will entertain public comments on agenda items for 15 minutes following adoption of the agenda.

**Contact:** William L. Harp, M.D., Executive Director, Board of Medicine, 6606 West Broad Street, 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9960, FAX (804) 662-9517, (804) 662-7197/TTY

### Informal Conference Committee

† March 29, 2000 - 9 a.m. -- Open Meeting

March 31, 2000 - 9 a.m. -- Open Meeting

Department of Health Professions, 6606 West Broad Street, Richmond, Virginia.

A meeting to inquire into allegations that certain practitioners may have violated laws and regulations governing the practice of medicine and other healing arts in Virginia. The committee will meet in open and closed sessions pursuant to § 2.1-344 A 7 and A 15 of the Code of Virginia. Public comment will not be received.

**Contact:** Peggy Sadler or Renee Dixon, Board of Medicine, 6606 West Broad Street, 4th Floor, Richmond, VA 23230, telephone (804) 662-7332, FAX (804) 662-9517, (804) 662-7197/TTY

### Legislative Committee

† May 26, 2000 - 1 p.m. -- Open Meeting

Department of Health Professions, 6606 West Broad Street, 5th Floor, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A meeting to discuss legislative issues related to board activities and regulations, to review any pending regulations pursuant to regulatory review or legislative action, and to consider any other information that may come before the committee. The committee will entertain public comments during the first 15 minutes on agenda items.

**Contact:** William L. Harp, M.D., Executive Director, Board of Medicine, Department of Health Professions, 6606 West Broad Street, 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9960, FAX (804) 662-9517 or (804) 662-7197/TTY

### Advisory Board on Occupational Therapy

† May 11, 2000 - 9 a.m. -- Open Meeting

Department of Health Professions, 6606 West Broad Street, 5th Floor, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A meeting to review public comments and make recommendations to the Board of Medicine regarding the regulatory review of 18 VAC 85-80-10 et seq., Regulations for Licensure of Occupational Therapists, and such other issues which may be presented. The advisory board will entertain public comments during the first 15 minutes on agenda items.

**Contact:** William L. Harp, M.D., Executive Director, Board of Medicine, 6606 West Broad Street, 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9960, FAX (804) 662-9517 or (804) 662-7197/TTY

### Advisory Board on Physical Therapy

† May 12, 2000 - 9 a.m. -- Open Meeting

Department of Health Professions, 6606 West Broad Street, 5th Floor, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A meeting to review public comments and make recommendations to the Board of Medicine regarding the regulatory review of 18 VAC 85-31-10 et seq.,

---

## Calendar of Events

---

Regulations Governing the Practice of Physical Therapy, and such other issues which may be presented. The advisory board will entertain public comments during the first 15 minutes on agenda items.

**Contact:** William L. Harp, M.D., Executive Director, Board of Medicine, 6606 West Broad Street, 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9960, FAX (804) 662-9517 or (804) 662-7197/TTY ☎

### Advisory Committee on Physician Assistants

† **May 12, 2000 - 1 p.m.** -- Open Meeting  
Department of Health Professions, 6606 West Broad Street, 5th Floor, Richmond, Virginia.🗎 (Interpreter for the deaf provided upon request)

A meeting to review public comments and make recommendations to the Board of Medicine regarding the regulatory review of 18 VAC 85-50-10 et seq., Regulations Governing the Practice of Physician Assistants, and such other issues which may be presented. The advisory committee will entertain public comments during the first 15 minutes on agenda items.

**Contact:** William L. Harp, M.D., Executive Director, Board of Medicine, 6606 West Broad Street, 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9960, FAX (804) 662-9517 or (804) 662-7197/TTY ☎

### Advisory Committee on Radiological Technology

† **May 10, 2000 - 1 p.m.** -- Open Meeting  
Department of Health Professions, 6606 West Broad Street, 5th Floor, Richmond, Virginia.🗎 (Interpreter for the deaf provided upon request)

A meeting to review public comments and make recommendations to the board regarding 18 VAC 85-101-10 et seq., Regulations Governing the Licensure of Radiologic Technologists and Radiologic Technologists-Limited, and such other issues which may be presented. The advisory committee will entertain public comments during the first 15 minutes on agenda items.

**Contact:** William L. Harp, M.D., Executive Director, Board of Medicine, 6606 West Broad Street, 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9960, FAX (804) 662-9517 or (804) 662-7197/TTY ☎

### Advisory Board on Respiratory Care

† **May 11, 2000 - 1 p.m.** -- Open Meeting  
Department of Health Professions, 6606 West Broad Street, 5th Floor, Richmond, Virginia.🗎 (Interpreter for the deaf provided upon request)

A meeting to review public comments and make recommendations to the Board of Medicine regarding the regulatory review of 18 VAC 85-40-10 et seq., Regulations Governing the Practice of Respiratory Care Practitioners, and such other issues which may be

presented. The advisory board will entertain public comments during the first 15 minutes on agenda items.

**Contact:** William L. Harp, M.D., Executive Director, Board of Medicine, 6606 West Broad Street, 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9960, FAX (804) 662-9517 or (804) 662-7197/TTY ☎

### STATE MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES BOARD

† **March 17, 2000 - 9 a.m.** -- Open Meeting  
Henrico Area Community Services Board, 10299 Woodman Road, Richmond, Virginia.🗎

A regular meeting of the board.

**Contact:** Marlene Butler, Executive Secretary, State Mental Health, Mental Retardation and Substance Abuse Services Board, P.O. Box 1797, Richmond, VA 23218, telephone (804) 786-7945, FAX (804) 371-2308, (804) 371-8977/TTY ☎, e-mail mbutler@dmhmrsas.state.va.us.

### VIRGINIA MILITARY INSTITUTE

† **May 13, 2000 - 8:30 a.m.** -- Open Meeting  
Virginia Military Institute, Turman Room, Preston Library, Lexington, Virginia.🗎

A regular meeting of the Board of Visitors to receive committee reports; approve awards, distinctions and diplomas; discuss personnel changes; and elect a president pro tem. The Board of Visitors will not provide an opportunity for public comment at this meeting.

**Contact:** Colonel Edwin L. Dooley, Jr., Secretary to the Board of Visitors, Virginia Military Institute, Superintendent's Office, Lexington, VA 24450, telephone (540) 464-7206 or FAX (540) 464-7660.

### MOTOR VEHICLE DEALER BOARD

**March 13, 2000 - 9 a.m.** -- Open Meeting  
Department of Motor Vehicles, 2300 West Broad Street, Room 702, Richmond, Virginia.🗎 (Interpreter for the deaf provided upon request)

Committees will meet as follows:

Dealer Practices Committee - 9 a.m.  
Franchise Law Committee - 10 a.m.  
Licensing Committee - 10:45 a.m.  
Transaction Recovery Fund Committee - 1:30 p.m.  
Advertising Committee - 2:15 p.m.  
Personnel Committee - 3 p.m.

Meetings may begin later, but not earlier than scheduled. Meeting end times are approximate. Any person who needs any accommodation in order to participate in the meeting should contact the board at least 10 days before the meeting so that suitable arrangements can be made.

**Contact:** Alice R. Weedon, Administrative Assistant, Motor Vehicle Dealer Board, 2201 West Broad Street, Suite 104, Richmond, VA 23220, telephone (804) 367-1100, FAX (804) 367-1053, toll-free (877) 270-0203, e-mail dboard@mvb.state.va.us.

**March 14, 2000 - 9:30 a.m. -- Open Meeting**  
Department of Motor Vehicles, 2300 West Broad Street, Room 702, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A meeting of the full board. Prior to the meeting, the Finance Committee will meet at 8:30 a.m. Meetings may begin later, but not earlier than scheduled. Any person who needs any accommodation in order to participate in the meeting should contact the board at least 10 days before the meeting so that suitable arrangements can be made.

**Contact:** Alice R. Weedon, Administrative Assistant, Motor Vehicle Dealer Board, 2201 West Broad Street, Suite 104, Richmond, VA 23220, telephone (804) 367-1100, FAX (804) 367-1053, toll-free (877) 270-0203, e-mail dboardmvb.state.va.us.

## BOARD OF NURSING

**March 20, 2000 - 8:30 a.m. -- Open Meeting**  
**March 22, 2000 - 8:30 a.m. -- Open Meeting**  
**March 23, 2000 - 8:30 a.m. -- Open Meeting**  
**† May 15, 2000 - 8:30 a.m. -- Open Meeting**  
**† May 17, 2000 - 8:30 a.m. -- Open Meeting**  
**† May 18, 2000 - 8:30 a.m. -- Open Meeting**  
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 2, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A panel of the board will conduct formal hearings with licensees and certificate holders. Public comment will not be received.

**Contact:** Nancy K. Durrett, R.N., Executive Director, Board of Nursing, 6606 West Broad Street, 4th Floor, Richmond, VA 23230, telephone (804) 662-9909, FAX (804) 662-9512, (804) 662-7197/TTY, e-mail nursebd@dhp.state.va.us.

## Special Conference Committee

**† April 4, 2000 - 8:30 a.m. -- Open Meeting**  
**† April 6, 2000 - 8:30 a.m. -- Open Meeting**  
**† April 11, 2000 - 8:30 a.m. -- Open Meeting**  
**† April 13, 2000 - 8:30 a.m. -- Open Meeting**  
**† April 17, 2000 - 8:30 a.m. -- Open Meeting**  
**† April 26, 2000 - 8:30 a.m. -- Open Meeting**  
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 3, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A meeting to conduct informal conferences with licensees and certificate holders. Public comment will not be received.

**Contact:** Nancy K. Durrett, R.N., Executive Director, Board of Nursing, 6606 West Broad Street, 4th Floor, Richmond, VA 23230, telephone (804) 662-9909, FAX (804) 662-9512, (804) 662-7197/TTY, e-mail nursebd@dhp.state.va.us.

## BOARD FOR OPTICIANS

**March 18, 2000 - 9 a.m. -- Open Meeting**  
Virginia Beach Resort Hotel and Conference Center, 2800 Shore Drive, Virginia Beach, Virginia. (Interpreter for the deaf provided upon request)

A meeting of state opticianry boards and other interested parties to discuss the development of a regional and/or national practical examination and to address other regulatory issues. Any person desiring to attend the meeting and requiring special accommodations or interpretative services should contact the department at least 10 days prior to the meeting so that suitable arrangements can be made. The department fully complies with the Americans with Disabilities Act.

**Contact:** Nancy Taylor Feldman, Assistant Director, Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, VA 23230, telephone (804) 367-8590, FAX (804) 367-2474, (804) 367-9753/TTY, e-mail opticians@dpor.state.va.us.

**March 19, 2000 - 9 a.m. -- Open Meeting**  
Virginia Beach Resort Hotel and Conference Center, 2800 Shore Drive, Virginia Beach, Virginia. (Interpreter for the deaf provided upon request)

A training session for volunteers in the Optician Volunteer Network. Persons desiring to attend the meeting and requiring special accommodations or interpretative services should contact the department at least 10 days prior to the meeting so that suitable arrangements can be made. The department fully complies with the Americans with Disabilities Act.

**Contact:** Nancy Taylor Feldman, Assistant Director, Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, VA 23230, telephone (804) 367-8590, FAX (804) 367-2474, (804) 367-9753/TTY, e-mail opticians@dpor.state.va.us.

## BOARD OF OPTOMETRY

### Informal Conference Committee

**† March 15, 2000 - 11 a.m. -- Open Meeting**  
**† April 14, 2000 - 9 a.m. -- Open Meeting**  
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 1, Richmond, Virginia. (Interpreter for the deaf provided upon request)

Informal hearings. This is a public meeting; however, public comment will not be received.

**Contact:** Carol Stamey, Administrative Assistant, Board of Optometry, 6606 West Broad Street, 4th Floor, Richmond, VA 23230, telephone (804) 662-9910, FAX (804) 662-7098, (804) 662-7197/TTY, e-mail cstamey@dhp.state.va.us.

---

# Calendar of Events

---


## VIRGINIA OUTDOORS FOUNDATION

† **March 29, 2000 - 10 a.m.** -- Open Meeting  
State Capitol, Capitol Square, House Room 2, Richmond, Virginia.

A regularly scheduled meeting of the Board of Trustees to discuss foundation business and accept conservation easements. Public comment will be accepted after the regular business meeting.

**Contact:** Tamara Vance, Executive Director, Virginia Outdoors Foundation, 203 Governor Street, Room 317, Richmond, VA 23219, telephone (804) 225-2147 or FAX (804) 371-4810.


## BOARD OF PHARMACY

**March 24, 2000 - 9 a.m.** -- Open Meeting  
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 2, Richmond, Virginia. 

A board panel will hear formal hearings. Public comments will not be received.

**Contact:** Elizabeth Scott Russell, Executive Director, Board of Pharmacy, 6606 West Broad Street, 4th Floor, Richmond, VA 23230, telephone (804) 662-9911 or FAX (804) 662-9313.


## Special Conference Committee

**March 14, 2000 - 9 a.m.** -- Open Meeting  
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 3, Richmond, Virginia. 


A Special Conference Committee will hear informal conferences. Public comments will not be received.

**Contact:** Elizabeth Scott Russell, Executive Director, Board of Pharmacy, 6606 West Broad Street, 4th Floor, Richmond, VA 23230, telephone (804) 662-9911 or FAX (804) 662-9313.


## BOARD FOR PROFESSIONAL AND OCCUPATIONAL REGULATION

**March 27, 2000 - 10 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. 

A general business meeting. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact the department at least two weeks in advance of the meeting. The department fully complies with the Americans with Disabilities Act.


**Contact:** Debra L. Vought, Agency Management Analyst, Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, VA 23230, telephone (804) 367-8519 or (804) 367-9753/TTY 

## VIRGINIA RACING COMMISSION

† **March 15, 2000 - 9:30 a.m.** -- Open Meeting  
Tyler Building, 1300 East Main Street, Richmond, Virginia. 

A monthly meeting. The public hearing will begin at the conclusion of regular business.

**Contact:** William H. Anderson, Policy Analyst, Virginia Racing Commission, 10700 Horsemen's Road, New Kent, VA 23124, telephone (804) 966-7404 or FAX (804) 966-7418.

† **March 15, 2000 - 9:30 a.m.** -- Public Hearing  
Tyler Building, 1300 East Main Street, Richmond, Virginia. 

A public hearing on Colonial Downs' request to amend its license. The licensee seeks to amend its license to eliminate live and simulcast harness racing.

**Contact:** William H. Anderson, Policy Analyst, Virginia Racing Commission, 10700 Horsemen's Road, New Kent, VA 23124, telephone (804) 966-7404 or FAX (804) 966-7418.

## REAL ESTATE APPRAISER BOARD


† **April 11, 2000 - 10 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia.

A general business meeting.


**Contact:** Karen W. O'Neal, Assistant Administrator, Real Estate Appraiser Board, 3600 West Broad Street, Richmond, VA 23230, telephone (804) 367-8552 or FAX (804) 367-2475.

## REAL ESTATE BOARD

† **March 13, 2000 - 9 a.m.** -- Open Meeting

† **March 14, 2000 - 9 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia.  (Interpreter for the deaf provided upon request)


A meeting to conduct informal fact-finding conferences pursuant to § 9-6.14:11 of the Administrative Process Act. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact the board at least two weeks prior to the meeting. The department fully complies with the Americans with Disabilities Act.

**Contact:** Debbie A. Amaker, Legal Assistant, Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, VA 23230, telephone (804) 367-8582, FAX (804) 367-2179 or (804) 367-9753/TTY 




### VIRGINIA RECYCLING MARKETS DEVELOPMENT COUNCIL

**March 14, 2000 - 10 a.m.** -- Open Meeting


Central Virginia Waste Management Authority, 2104 West Laburnum Avenue, Board Room, Richmond, Virginia.   
(Interpreter for the deaf provided upon request)

A quarterly meeting. The council will discuss solid waste and recycling issues considered by the 2000 Session of the General Assembly. Meetings are dependent on a quorum of 10. Subcommittee meetings may be held prior to or after the general council meeting.

**Contact:** Michael P. Murphy, Director, Environmental Enhancement, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240-0009, telephone (804) 698-4003, FAX (804) 698-4319, (804) 698-4021/TTY , toll free 1-800-592-5482 or e-mail [mpmurfphy@deq.state.va.us](mailto:mpmurfphy@deq.state.va.us).

### REFORESTATION OF TIMBERLANDS BOARD

**March 22, 2000 - 10 a.m.** -- Open Meeting


Department of Forestry, Central Office, Charlottesville, Virginia. 

A meeting to review forestry-related legislation debated in the 2000 Session of the General Assembly, discuss the merits of requiring release of pine plantation initially cost-shared under the RT Program, and review program status and accomplishments.


**Contact:** Phil T. Grimm, Staff Forester, Department of Forestry, 900 Natural Resources Drive, Suite 800, Charlottesville, VA 22903, telephone (804) 977-6555, FAX (804) 296-2369, e-mail [grimm@doe.state.va.us](mailto:grimm@doe.state.va.us).

### BOARD OF REHABILITATIVE SERVICES

**March 23, 2000 - 10 a.m.** -- Open Meeting

Department of Rehabilitative Services, Headquarters, 8004 Franklin Farms Drive, Richmond, Virginia. 

A regularly scheduled board meeting.

**Contact:** Barbara Tyson, Department of Rehabilitative Services, 8004 Franklin Farms Drive, P.O. Box K-300, Richmond, VA 23288-0300, telephone (804) 662-7010, FAX (804) 662-7696, toll-free (800) 552-5019, (804) 662-9040/TTY , e-mail [drs@drs.state.va.us](mailto:drs@drs.state.va.us).

### VIRGINIA RESOURCES AUTHORITY

**March 14, 2000 - 9 a.m.** -- Open Meeting

**April 11, 2000 - 9 a.m.** -- Open Meeting

Virginia Resources Authority, 707 East Main Street, 2nd Floor Conference Room, Richmond, Virginia.


A meeting to approve minutes of the prior meeting, to review the authority's operations for the prior month, and to consider other matters and take other actions as the authority may deem appropriate. The planned agenda of

the meeting will be available at the offices of the authority one week prior to the date of the meeting. Public comments will be received at the beginning of the meeting.

**Contact:** Benjamin M. Hoyle, Executive Assistant, Virginia Resources Authority, 707 East Main Street, Suite 1350, Richmond, VA 23219, telephone (804) 644-3100 or FAX (804) 644-3109.

### SEWAGE HANDLING AND DISPOSAL APPEAL REVIEW BOARD

**† April 12, 2000 - 10 a.m.** -- Open Meeting

Henrico County Human Resource Building, 8600 Dixon Powers Road, Board Room, Richmond, Virginia. 

A meeting to hear appeals of health department denials of septic tank permits.

**Contact:** Susan C. Sherertz, Board Secretary, Sewage Handling and Disposal Appeal Review Board, 1500 East Main Street, Room 115, Richmond, VA 23219, telephone (804) 371-4236 or FAX (804) 225-4003.

### STATE BOARD OF SOCIAL SERVICES


**† March 21, 2000 - 10 a.m.** -- Open Meeting

Division of Child Support Enforcement, 2385 Hunters Ways #5, Charlottesville, Virginia. 

A work session of the Child Protective Services Out-of-Family Advisory Group.

**Contact:** Pat Rengnerth, State Board Liaison, State Board of Social Services, 730 East Broad Street, Room 828, Richmond, VA 23219-1849, telephone (804) 692-1826, FAX (804) 692-1962 or toll-free (800) 552-3431.

**† April 18, 2000 - 2 p.m.** -- Open Meeting


Holiday Inn-Fair Oaks, 11787 Lee Jackson Memorial Highway, Fairfax, Virginia. 

A work session of the Welfare Reform Subcommittee.

**Contact:** Pat Rengnerth, State Board Liaison, State Board of Social Services, 730 East Broad Street, Room 828, Richmond, VA 23219-1849, telephone (804) 692-1826, FAX (804) 692-1962 or toll-free (800) 552-3431.

**† April 19, 2000 - 9 a.m.** -- Open Meeting

**† April 20, 2000 - 9 a.m.** -- Open Meeting

Fairfax Family Services, Panino Building, 12011 Government Center Parkway, Fairfax, Virginia. 

A work session and formal business meeting of the board. Public comments begin at 1:30 p.m.


**Contact:** Pat Rengnerth, State Board Liaison, State Board of Social Services, 730 East Broad Street, Richmond, VA 23219-1849, telephone (804) 692-1826, FAX (804) 692-1962 or toll-free (800) 552-3431.

---


# Calendar of Events

---

## BOARD FOR PROFESSIONAL SOIL SCIENTISTS


† **March 22, 2000 - 10 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation,  
3600 West Broad Street, 4th Floor, Richmond, Virginia.   
(Interpreter for the deaf provided upon request)

A meeting to address policy and procedural issues and other board matters which may require board action. The meeting is open to the public; however, a portion of the board's business may be discussed in closed meeting. The department fully complies with the Americans with Disabilities Act. Persons desiring to participate in the meeting and require special accommodations or interpreter services should contact Kelley L. Hellams.

**Contact:** Kelley L. Hellams, Assistant Director, Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, VA 23230-4917, telephone (804) 367-2785, FAX (804) 367-2474, (804) 367-9753/TTY , e-mail [soilscientist@dpor.state.va.us](mailto:soilscientist@dpor.state.va.us).

## DEPARTMENT OF TECHNOLOGY PLANNING


### Land Records Management Task Force

**March 28, 2000 - 1:30 p.m.** -- Open Meeting  
Department of Technology Planning, 110 South 7th Street,  
3rd Floor Conference Room, Richmond, Virginia. 

A regular business meeting.


**Contact:** Diane Wresinski, Policy and Planning Specialist, Department of Technology Planning, 110 South 7th Street, Suite 135, Richmond, VA 23219, telephone (804) 371-2750, e-mail [dwresinski@ntp.state.va.us](mailto:dwresinski@ntp.state.va.us).

## COMMONWEALTH TRANSPORTATION BOARD

† **March 15, 2000 - 2 p.m.** -- Open Meeting  
Department of Transportation, 1401 East Broad Street, Board Room, Richmond, Virginia. 

A work session of the Commonwealth Transportation Board and Department of Transportation staff.

**Contact:** Cathy M. Ghidotti, Assistant Secretary to the Board, Commonwealth Transportation Board, 1401 East Broad Street, Richmond, VA 23219, telephone (804) 786-8032, FAX (804) 786-6683, e-mail [ghidotti\\_cm@vdot.state.va.us](mailto:ghidotti_cm@vdot.state.va.us).

† **March 16, 2000 - 10 a.m.** -- Open Meeting  
Department of Transportation, 1401 East Broad Street, Board Room, Richmond, Virginia. 

A monthly meeting of the board to vote on proposals presented regarding bids, permits, additions and deletions to the highway system, and any other matters requiring board approval. Public comment will be received at the outset of the meeting on items on the meeting agenda for which the opportunity for public

comment has not been afforded the public in another forum. Remarks will be limited to five minutes. Large groups are asked to select one individual to speak for the group. The board reserves the right to amend these conditions. Separate committee meetings may be held on call of the chairman. Contact VDOT Public Affairs at (804) 786-2715 for schedule.

**Contact:** Cathy M. Ghidotti, Assistant Secretary to the Board, Commonwealth Transportation Board, 1401 East Broad Street, Richmond, VA 23219, telephone (804) 786-8032, FAX (804) 786-6683, e-mail [ghidotti\\_cm@vdot.state.va.us](mailto:ghidotti_cm@vdot.state.va.us).


## TREASURY BOARD

† **March 15, 2000 - 9 a.m.** -- Open Meeting  
James Monroe Building, 101 North 14th Street, 3rd Floor,  
Treasury Board Room, Richmond, Virginia.


A monthly meeting.

**Contact:** Sarah M. Gray, Administrative Staff Assistant, Department of the Treasury, 101 North 14th Street, 3rd Floor, Richmond, VA 23219, telephone (804) 225-2142, FAX (804) 225-3187, e-mail [sarah.gray@trs.state.va.us](mailto:sarah.gray@trs.state.va.us).


## BOARD FOR THE VISUALLY HANDICAPPED

**April 18, 2000 - 1 p.m.** -- Open Meeting  
Department for the Visually Handicapped, 397 Azalea Avenue, Richmond, Virginia.  (Interpreter for the deaf provided upon request)


A regular meeting to receive information regarding department activities and operations, review expenditures from the board's endowment fund, and discuss other issues raised for board members.

**Contact:** Katherine C. Proffitt, Administrative Staff Assistant, Department for the Visually Handicapped, 397 Azalea Avenue, Richmond, VA 23227, telephone (804) 371-3145, FAX (804) 371-3157, toll-free (800) 622-2155, (804) 371-3140/TTY , e-mail [proffikc@dvh.state.va.us](mailto:proffikc@dvh.state.va.us).

## BOARD FOR WASTE MANAGEMENT FACILITY OPERATORS

**March 31, 2000 - 10 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation,  
3600 West Broad Street, Conference Room 5 W, Richmond,  
Virginia. 

A meeting to conduct routine business. A public comment period will be held at the beginning of the meeting.

**Contact:** David E. Dick, Assistant Director, Department of Professional and Occupational Regulation, 3600 West Broad St, Richmond, VA 23230, telephone (804) 367-8505, FAX (804) 367-2475, (804) 367-9753/TTY , e-mail [wastemg@dpor.state.va.us](mailto:wastemg@dpor.state.va.us).


### STATE WATER CONTROL BOARD

† **March 29, 2000 - 10 a.m.** -- Open Meeting  
General Assembly Building, 9th and Broad Streets, House  
Room C, Richmond, Virginia.

A regular meeting.

**Contact:** Cindy Berndt, Regulatory Coordinator, Department  
of Environmental Quality, P.O. Box 10009, Richmond, VA  
23240, telephone (804) 698-4378, FAX (804) 698-4346, e-  
mail cmberndt@deq.state.va.us.


### BOARD FOR WATERWORKS AND WASTEWATER WORKS OPERATORS

**March 16, 2000 - 8:30 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation,  
3600 West Broad Street, Conference Room 5W, Richmond,  
Virginia. 


A meeting to conduct routine business and adopt  
proposed regulations. A public comment period will be  
held at the beginning of the meeting.

**Contact:** David E. Dick, Assistant Director, Department of  
Professional and Occupational Regulation, 3600 West Broad  
Street, Richmond, VA 23230, telephone (804) 367-8505, FAX  
(804) 367-2475, (804) 367-9753/TTY , e-mail  
waterwasteoper@dpor.state.va.us.

### VIRGINIA WORKFORCE COUNCIL


† **March 29, 2000 - 10:30 a.m.** -- Open Meeting  
Virginia Employment Commission, Central Office, 703 East  
Main Street, Conference Room 303, Richmond, Virginia.   
(Interpreter for the deaf provided upon request)

A meeting of the Emerging Workforce Committee to  
consider a "youth vision" within the context of the  
council's vision statement and to explore issues related  
to incumbent workers and youth program  
design/guidelines for the Workforce Investment Act.

**Contact:** Gail Robinson, Virginia Workforce Council Liaison,  
Virginia Employment Commission, P.O. Box 1358, Richmond,  
VA 23218-1358, telephone (804) 225-3070, FAX (804) 786-  
5891 or (804) 371-8050/TTY 

## INDEPENDENT

### STATE LOTTERY BOARD

† **March 22, 2000 - 9:30 a.m.** -- Open Meeting  
State Lottery Department, 900 East Main Street, Richmond,  
Virginia.  (Interpreter for the deaf provided upon request)

A regular meeting of the board. Public comment will be  
received at the beginning of the meeting.

**Contact:** Barbara L. Robertson, Board, Legislative and  
Regulatory Coordinator, State Lottery Department, 900 East  
Main Street, Richmond, VA 23219, telephone (804) 692-7105  
or FAX (804) 692-7775.

## LEGISLATIVE

### COMMISSION ON VIRGINIA'S STATE AND LOCAL TAX STRUCTURE FOR THE 21ST CENTURY

† **March 16, 2000 - 2 p.m.** -- Public Hearing  
Tidewater area; site to be determined.

A public hearing to receive testimony concerning possible  
changes in Virginia's state and local tax structure to  
address the needs of the Commonwealth of the 21st  
century. Individuals and groups that wish to address the  
commission at the hearing are requested to preregister  
with the commission's staff in Richmond at the telephone  
number below.

**Contact:** Mich Wilkinson, Staff Director, Commission on  
Virginia's State and Local Tax Structure for the 21st Century,  
700 East Franklin Street, Suite 700, Richmond, VA 23219-  
2318, telephone (804) 786-4273, FAX (804) 371-0234.

† **March 16, 2000 - 7 p.m.** -- Open Meeting  
Tidewater area; site to be determined.

A meeting devoted to the commission's discussion and  
consideration of issues concerning the adequacy of  
Virginia's state and local tax structure to address the  
needs of the Commonwealth in the 21st century.

**Contact:** Mich Wilkinson, Staff Director, Commission on  
Virginia's State and Local Tax Structure for the 21st Century,  
700 East Franklin Street, Suite 700, Richmond, VA 23219-  
2318, telephone (804) 786-4273, FAX (804) 371-0234.

## CHRONOLOGICAL LIST

### OPEN MEETINGS

#### March 13

Alcoholic Beverage Control Board  
Library Board, State  
Local Government, Commission on  
Motor Vehicle Dealer Board  
- Advertising Committee  
- Dealer Practices Committee  
- Franchise Law Committee  
- Licensing Committee  
- Personnel Committee  
- Transaction Recovery Fund Committee  
† Real Estate Board

#### March 14

Agriculture and Consumer Services, Department of  
- Virginia Bright Flue-Cured Tobacco Board  
† Corrections, Board of

---

# Calendar of Events

---

- Correctional Services Committee
- Liaison Committee
- Environmental Quality, Department of
- Health, Department of
  - Biosolids Use Information Committee
  - Biosolids Use Regulations Advisory Committee
- Higher Education for Virginia, State Council of
- Motor Vehicle Dealer Board
  - Finance Committee
- Pharmacy, Board of
  - Special Conference Committee
- † Real Estate Board
- Recycling Markets Development Council, Virginia
- Resources Authority, Virginia
  - Board of Directors

## March 15

- † Contractors, Board for
- † Corrections, Board of
  - Administration Committee
- Environmental Quality, Department of
- Funeral Directors and Embalmers, Board of
  - Legislative Committee
- Historic Resources, Department of
  - Board of Historic Resources and State Review Board
- † Optometry, Board of
  - Informal Conference Committee
- † Racing Commission, Virginia
- † Transportation Board, Commonwealth
- † Treasury Board

## March 16

- Agriculture and Consumer Services, Board of
- † Assistive Technology Loan Fund Authority
  - Board of Directors
- † Conservation and Recreation, Department of
  - Claytor Lake State Park Master Plan Steering Committee
  - Virginia Soil and Water Conservation Board
- † Criminal Justice Services Board
  - Committee on Training
- Environmental Quality, Department of
- † Health, Department of
  - Sewage Handling and Disposal Regulation Advisory Committee
- Labor and Industry, Department of
  - Virginia Apprenticeship Council
- † Manufactured Housing Board, Virginia
- † State and Local Tax Structure for the 21st Century, Commission on Virginia's
- † Transportation Board, Commonwealth
- Waterworks and Wastewater Works Operators, Board for

## March 17

- Dentistry, Board of
  - Special Conference Committee
- Housing and Community Development, Department of
- State Building Code Technical Review Board
- † Mental Health, Mental Retardation and Substance Abuse Services Board, State

## March 18

- Opticians, Board for

## March 19

- Opticians, Board for

## March 20

- † Design-Build/Construction Management Review Board
- Nursing, Board of

## March 21

- Environmental Quality, Department of
  - Virginia Ground Water Protection Steering Committee
- Higher Education for Virginia, State Council of
- Litter Control and Recycling Fund Advisory Board
- † Social Services, State Board of

## March 22

- † Agriculture and Consumer Services, Department of
  - Virginia State Apple Board
- † Housing Development Authority, Virginia
  - Board of Commissioners
- † Lottery Board, State
- Nursing, Board of
- Reforestation of Timberlands Board
- † Soil Scientists, Board for Professional

## March 23

- Aging, Commonwealth Council on
  - Legislative Committee
- † Agriculture and Consumer Services, Department of
  - Virginia Peanut Board
- Education, Board of
- Medicine, Board of
  - Advisory Board on Athletic Training
- Nursing, Board of
- Rehabilitative Services, Board of

## March 24

- † Correctional Education, Board of
- Pharmacy, Board of

## March 27

- Agricultural Council, Virginia
- Alcoholic Beverage Control Board
- Professional and Occupational Regulation, Board for

## March 28

- Agricultural Council, Virginia
- † Chesapeake Bay Local Assistance Board
  - Grants Committee
- † Compensation Board
- † Environmental Quality, Department of
- Marine Resources Commission
- Technology Planning, Department of
  - Land Records Management Task Force

## March 29

- At-Risk Youth and Their Families, Comprehensive Services for
  - State Executive Council
- † Medicine, Board of
  - Informal Conference Committee
- † Outdoors Foundation, Virginia
  - Board of Trustees
- † Water Control Board, State
- † Workforce Council, Virginia
  - Emerging Workforce Committee

**March 30**

- † Air Pollution Control Board, State
- † Environmental Quality, Department of

**March 31**

- Medicine, Board of
- Informal Conference Committee
- Waste Management Facility Operators, Board for

**April 3**

- Medical Assistance Services, Department of
- Medicaid Pharmacy Liaison Committee

**April 4**

- Hearing Aid Specialists, Board for
- † Nursing, Board of
- Special Conference Committee

**April 5**

- Independent Living Council, Statewide

**April 6**

- † Conservation and Recreation, Department of
- Falls of the James Scenic River Advisory Board
- † Nursing, Board of
- Special Conference Committee

**April 7**

- Medicine, Board of
- Executive Committee

**April 8**

- Health Professions, Department of
- Health Practitioners' Intervention Program Committee

**April 10**

- Alcoholic Beverage Control Board
- † Chesapeake Bay Local Assistance Board

**April 11**

- Higher Education for Virginia, State Council of
- † Nursing, Board of
- Special Conference Committee
- † Real Estate Appraiser Board
- Resources Authority, Virginia
- Board of Directors

**April 12**

- † Sewage Handling and Disposal Appeal Review Board

**April 13**

- † Longwood College
- Executive Committee of the Board of Visitors
- † Nursing, Board of
- Special Conference Committee

**April 14**

- † Optometry, Board of
- Informal Conference Committee

**April 17**

- † Agriculture and Consumer Services, Department of
- Virginia Horse Industry Board
- † Design-Build/Construction Management Review Board
- † Nursing, Board of
- Special Conference Committee

**April 18**

- † Higher Education for Virginia, State Council of
- † Social Services, State Board of
- Visually Handicapped, Board for the

**April 19**

- Accountancy, Board of
- † Social Services, State Board of

**April 20**

- † Social Services, State Board of

**April 24**

- Alcoholic Beverage Control Board

**April 26**

- At-Risk Youth and Their Families, Comprehensive Services for
- State Executive Council
- Education, Board of
- † Nursing, Board of
- Special Conference Committee

**April 27**

- Education, Board of

**April 28**

- † Education, Board of

**May 4**

- † Conservation and Recreation, Department of
- Falls of the James Scenic River Advisory Board

**May 8**

- Alcoholic Beverage Control Board

**May 10**

- † Medicine, Board of
- Advisory Committee on Acupuncture
- Advisory Committee on Radiological Technology

**May 11**

- † Medical Assistance Services, Department of
- Drug Utilization Review Board
- † Medicine, Board of
- Advisory Board on Occupational Therapy
- Advisory Board on Respiratory Care

**May 12**

- † Medicine, Board of
- Advisory Committee on Physician Assistants
- Advisory Board on Physical Therapy

**May 13**

- † Military Institute, Virginia

**May 15**

- † Design-Build/Construction Management Review Board
- † Nursing, Board of

**May 17**

- † Nursing, Board of

**May 18**

- † Nursing, Board of

**May 22**

- Alcoholic Beverage Control Board

---

## Calendar of Events

---

**May 25**

† Education, Board of

**May 26**

† Education, Board of

† Medicine, Board of

- Legislative Committee

### **PUBLIC HEARINGS**

**March 13**

Local Government, Commission on

**March 15**

Game and Inland Fisheries, Department of

† Racing Commission, Virginia

**March 16**

† State and Local Tax Structure for the 21st Century,  
Commission on Virginia's

**March 21**

Game and Inland Fisheries, Department of

**March 23**

Game and Inland Fisheries, Department of

**March 27**

Game and Inland Fisheries, Department of

**March 28**

Game and Inland Fisheries, Department of

**March 29**

Air Pollution Control Board, State

**April 3**

† Education, Board of